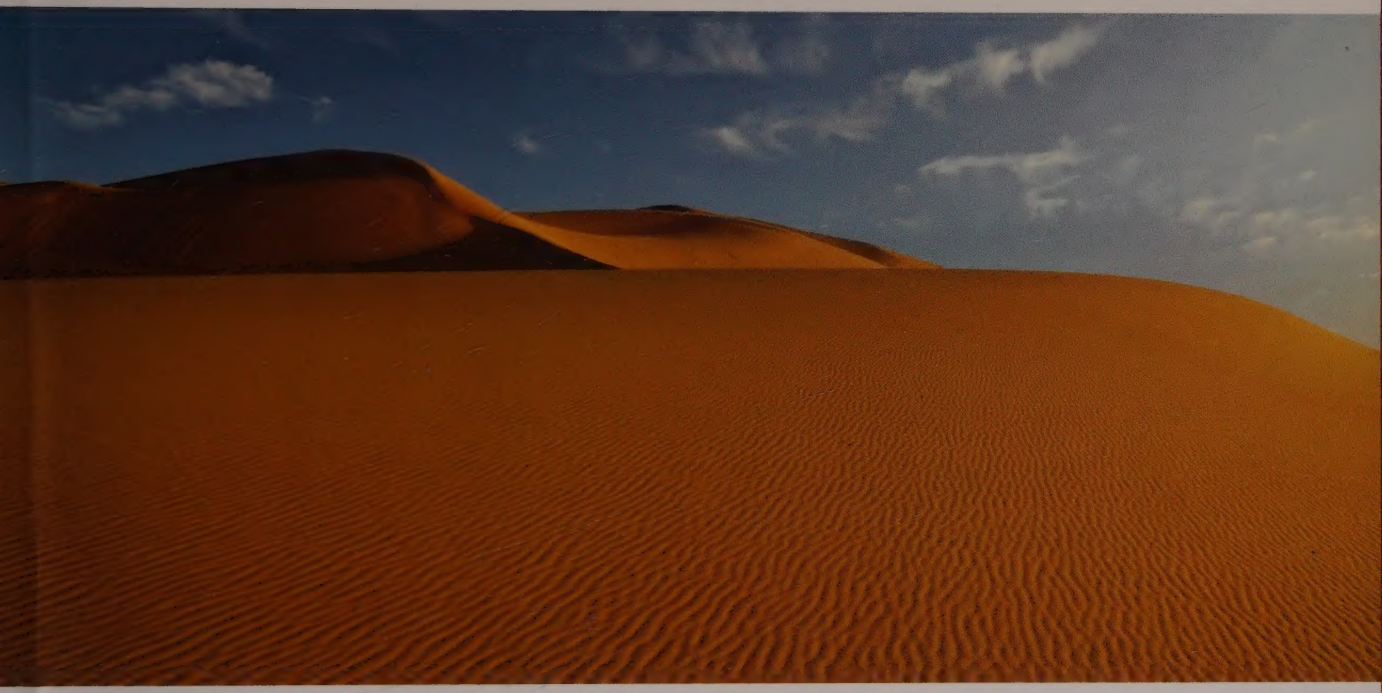
Berwick-Upon-Tweed: The History of the Town and Guild



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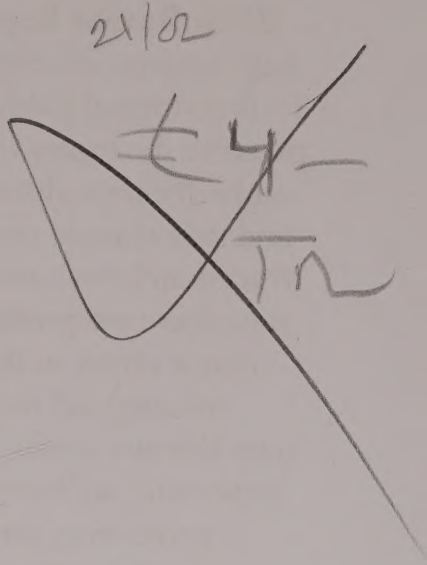

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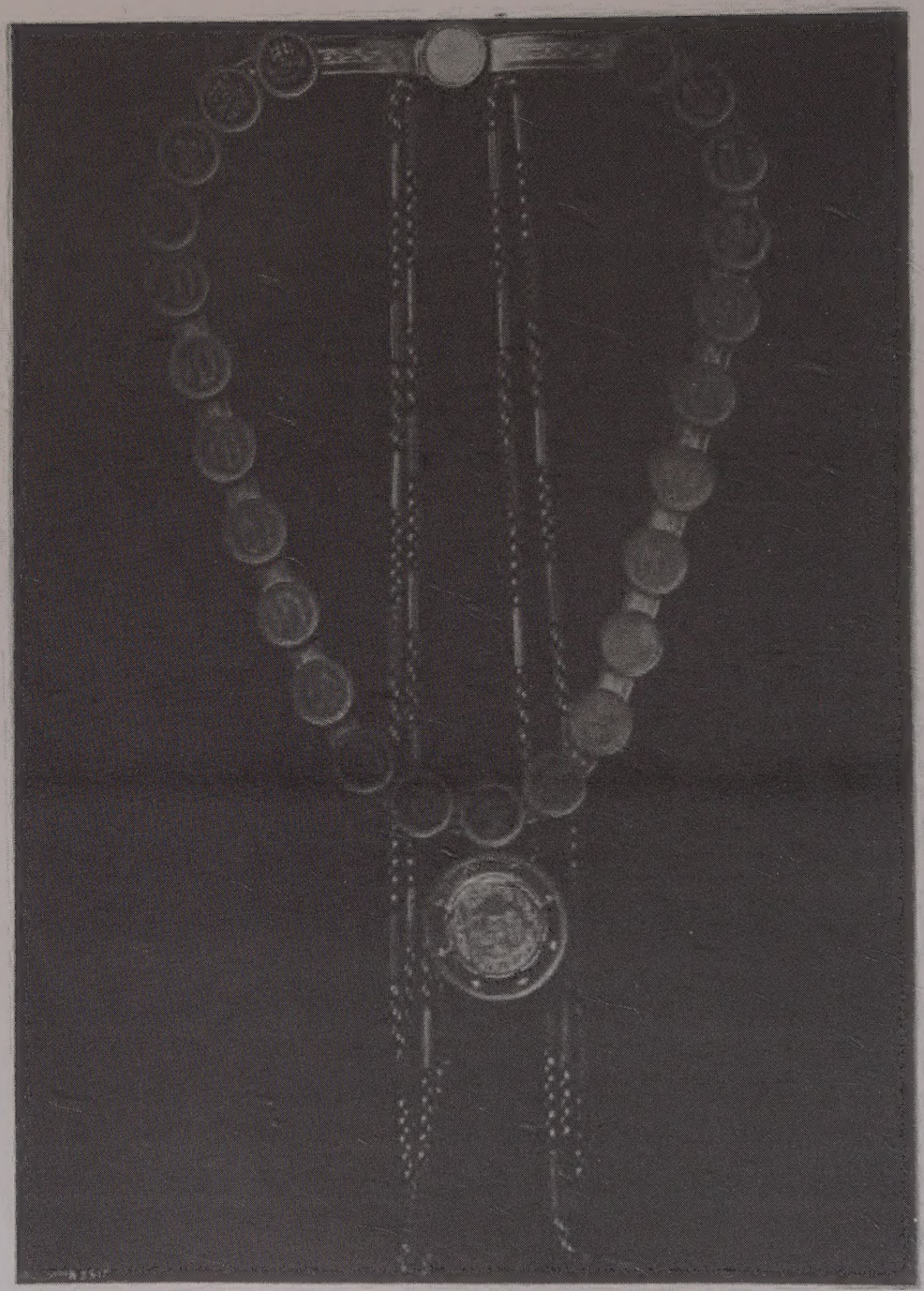

J. HERRIOTT, Photographer,] [BERWICK.

THE MAYOR'S CHAIN.

BERWICK-UPON-TWEED.

The History of the Town and Guild.

BY

JOHN SCOTT.

ILLUSTRATED BY PHOTO-ENGRAVINGS, PREPARED BY JAMES HERRIOTT, PHOTOGRAPHER, BERWICK.

LONDON:
ELLIOT STOCK, 62, PATERNOSTER ROW, E.C.
1888.

Preface.

IN the volume now presented to my readers I have detailed the general history of the town from the earliest records to the present time; then the history of its Guild. I have sketched the history of its Streets, its Charters, its Churches, its Grammar School, its Bridges, its Fisheries, etc. In the Appendix will be found Lists of its Ancient Burgesses, its Members of Parliament, its Mayors and Town Clerks, as well as several documents—the most valuable of which are the Statutes of the Guild and the Orders of the Old and New Establishments.

The books that have been consulted are too numerous to name. Access has been had to nearly all the Record Commission publications, to the calendars of the 'State Papers' of the various reigns, to the general histories of England and Scotland, to the old chronicles, to the books of private clubs, as the Camden Society, etc. The most extensive collection of papers gathered by the late Robert Weddell, solicitor, and all the papers and books in manuscript in the Berwick Archives, have been carefully read.

Great assistance has been rendered throughout the work by Mr. James Hardy, Oldcambus, the secretary of the Berwickshire Naturalists' Club, not only in reading and revising the MS., but in transcribing and

forwarding anything that he found in his wide researches that bore upon the history of Berwick.

Robert Douglas, Esq., Town Clerk, with the consent of the authorities of the town, most readily placed at my service the papers and books under his charge.

Mr. William Wilson, Berwick, has put me under great obligations in making extracts of many interesting passages concerning the town, and in lending many books bearing upon the subject. I have also to acknowledge the kind assistance of the following: Colonel David Milne Home, of Paxton House; Mr. Edward Willoby, solicitor, Berwick; and Mr. J. W. Barnes, Durham. My thanks are specially due to the above as well as to the many Berwick friends who have helped me in various ways in completing the work.

I can never state my full obligation to Mr. Robert Weddell, solicitor, the nephew of the gentleman who was so indefatigable in amassing information bearing upon the history of Berwick, for the readiness and courtesy with which he placed all his uncle's papers at my disposal. They have afforded me great help in writing the early ecclesiastical history of the town in which they have been almost my sole authority, while the history of the Grammar School has been compiled from a most elaborate paper upon the subject by the same laborious pen.

The mass of materials accumulated was enormous. The bringing of it into moderate compass was done not only with extreme difficulty, but with great regret; for very much that was interesting and valuable had to be laid aside, and only that which tended to the clear elucidation of the consecutive history of the old Border town inserted.

I had intended to treat of the different races that peopled this district, and of their struggles for empire one over another for several centuries after the Christian era; and to show how the early Celt of pre-Christian times was partially displaced by the Roman; how the Roman was displaced by the Saxon and the Dane; and how the different waves of population, that surged across the Bernician Kingdom, left here a mixed race, the basis of which was Celtic, but with a large infusion of Saxon and Danish blood. In following this out, I would have entered at some

length into the history of the different governing powers that successively held sway, to show that the Roman had certainly crossed the district, but had never settled in it; that the Saxon Kingdom, founded by Ida, soon after the Roman power withdrew, ruled under successive kings for nearly 300 years over Bernicia, that stretched from Tyne to Forth; that, after this kingdom was shattered by the Danes, the district became the common battlefield of Pict, Dane, Saxon, and Scot, until a strong Northumbrian earldom was established on the south, and a powerful kingdom began to take root in the north, which at last fought a decisive battle, by which was determined the dividing-line between England and Scotland for all future time.

Such was my intention; but as the book began to develop, two reasons were found for the omission of this preliminary sketch: first, that Berwick itself is never once mentioned in these early times; second, that all the space at my disposal was required for what bore directly upon the main subject.

Some space might have been occupied with the introduction of Christianity into the district by the active missionaries of the Cross, who planted themselves in Lindisfarne so early as the seventh century; for, if Berwick existed then at all, we may be sure that Saint Cuthbert and his coadjutors would have visited the place and have proclaimed the Gospel of Good News to the people. This would have been, however, a mere matter of speculation, and so I have preferred to begin the history of the churches from the rise of the monasteries and the really historical churches, that were founded in Berwick in the eleventh or twelfth centuries.

Of Tweedmouth and Spital little has been said, as their general history is almost identical with that of Berwick. To have entered upon their special history would have lengthened the volume very considerably, and made it too bulky. I regret the omission, but my regret is lessened by the fact that Raine in his 'North Durham' has dealt with both places at considerable length.

Owing to indisposition, I have not been able to give such careful revision to the proof sheets as I should otherwise have deemed necessary.

Some verbal mistakes have, in consequence, occurred: if any of a more serious nature are found, they may be apologized for, though not excused, by the fact that the whole work has been compiled in the odd moments of a very busy life.

J. S.

Berwick-upon-Tweed, *April 30th*, 1888.

LIST OF ERRATA.

Page 6, line 20, *for* 'Edward' *read* 'David.'
Page 129, line 15, *for* 'there' *read* 'these.'
Page 147, line 34, *for* 'the Queen-Dowager of the French' *read* 'the French Queen Dowager of Scotland.'
Page 220, line 15, *for* 'excommunicated' *read* 'excommunicato.'
Page 262, line 21, *for* 'Westerland' *read* 'Westerlane.'
Page 347, line 16, *for* ':' *read* '.'
Page 347, line 34, *for* 'Thomas' *read* 'George.'
Page 368, line 2, *for* 'Rumney' *read* 'Barnes.'

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History of Berwick.

CHAPTER I.

BERWICK is not mentioned while this district is under British or Roman sway. In the later Saxon period, when the Danes are attempting to establish their authority over Bernicia, and when it was considered that they were the dominating power, the Pictish King, Grig, or Gregory, swept down upon it, gained possession of Bamborough, and laid waste Lindisfarne. It was at this time—872—that Boece, the Scottish historian, says that Gregory wintered in Berwick.

Again, in Langtoff's 'Chronicle' the following lines occur:

> 'In ye zere after [833] right in the time of May,
> Oseth, ye Danes Kyng, com Inglond to affraie.
> He aryved at Berwick, in the water of Twede,
> Priue help of ye Scottes he had at his nede
> And com fast toward ye South grete powere he led.'

Roger of Wendover relates an incident in the same century and about the same date—870 A.D.—in which Berwick is again mentioned. Regnar Lodbrog, sailing from Danemark in a small boat, was slain by his huntsman, Berne. Edmund of England investigated the case, since the murder happened on English soil, and punished the murderer by putting him to sea in the small boat in which Lodbrog had sailed, but without oars or any means of guiding the boat, to see if Providence would deliver him. The boat drifted to the coast of Danemark, and Berne was landed among the same people from whom Lodbrog had no long time previously sailed. Berne was at once treated as the murderer of the prince; but invented a story to clear himself, in which he blamed Edmund, the English King, for the crime. The Danes, under the leadership of Inguar and Ubba, eager to revenge

their chief's death, sailed for England towards the East Anglian coast. A violent storm drove them back, and turning northwards, they found no landing-place till they sighted Berwick. After setting foot on shore they turned southward, ravaging the country till they encountered Edmund, whom they slew. These notices bring Berwick before us as early as the ninth century. Old chroniclers embellish their narratives with so much that is fabulous that no great faith can be put in any of these notices as really bringing Berwick into so early prominence in the annals of our country. Although the surrounding district continues to be harassed with contending armies from south and north, Berwick is never again referred to for over 200 years. When Eardulph-Cudel, the slow and sluggish prince, ruled over the Northumbrian earldom, he met in pitched battle, with all his forces, Malcolm, the Scottish King, who was anxious to extend the southern limits of his kingdom. This battle, fought at Carram (Carham) in the year 1018, ended disastrously for the southern army, and the Scottish King was able from this date to claim the Tweed as a Scottish river, and Berwick, if it existed at all, as a town within the boundary of Scotia.

In 1031 Canute, the Danish King of England, came north, and demanded homage from Malcolm for the recently annexed part of Scotland. This homage was performed by the northern King in due form. Previous to this time Bernicia had extended to the Forth, and Bamborough was the royal town of this extensive territory. Berwick does not become noted before the period preceding 1030. A mere village it must have been, neither a boundary town nor a fortified place; for Bamborough would not have suffered such a stronghold in its immediate neighbourhood, especially on the opposite side of an important river. When the Tweed has at length become the dividing-line of the two kingdoms, and Berwick the border town to defend that line, it was but natural that Berwick should at once leap into greatness, and a rudely fortified castle assume a shape, more or less important, on that knoll to the north-west of the town, which has been for ages one of the most historically noted places in our country. To support the view in the text of the origin of Berwick's rapid prosperity the following details are given by Skene in his 'Celtic Scotland': The kings of Scotland had now become possessors of conquered territory; the Lothians were now their own; and what more likely than that they should attempt to extend their limits still further south, and make the Tyne instead of the Tweed their southern boundary? Duncan, grandson of Malcolm, and son of Crinan, the lay Abbot of Dunkeld, fired with this ambition, determined, shortly after 1030 A.D., upon a trial of strength with his southern foe. He overran easily the northern part, penetrating the land till he

threatened Durham. Here his further progress was stayed. He met the English force, and was defeated. His army was put to a disorderly flight, in which all his foot soldiers were lost and numbers of his cavalry slain. Duncan was thus compelled to retreat with his self-imposed task unfulfilled. On arriving at Berwick, where he was met by Moddan, an earl whom he had appointed ruler over Orkney and Caithness, he learned that this earldom had been seized by Thorfinn, his own cousin, and son of Sigurd, late Earl of the Orkneys. Duncan determined to proceed northwards in person to Moddan's assistance. The latter set out at once by land; but the King fitted out at Berwick a fleet of eleven war-ships, and set sail on the fatal expedition, which ended shortly afterwards in his assassination by Macbeth, of Shakespearian renown.* This notice of Berwick is sufficiently tantalizing. Eleven war-ships fitted out in its harbour indicates a port of considerable age, magnitude, and importance. Why, then, are its surroundings so dark and impenetrable up to this date? No ray of light has yet illumined those times, so that the history of the town must be traced onward from the reign of Duncan for a while yet, by very uncertain light, till at length we reach the end of the eleventh or the beginning of the twelfth century, when all uncertainty ceases, and the full light of day is reflected on every page.

Duncan was assassinated in 1040 A.D. His young son Malcolm was sent to England for safety, because he was nearly related to Siward the Dane, who was at that time Earl of Northumberland. Macbeth the usurper ruled over Scotland for seventeen years. He had sufficient to do with his own turbulent people to keep him from molesting the English. In 1054, when Malcolm was of age to think of regaining his hereditary throne, he, with the aid of Siward, penetrated to the heart of Scotland by sea and by land to conquer his rival. In this expedition, as in Duncan's, Berwick would be the starting-place from which to sail into Scotland. The expedition, thus begun, terminated in desperate fighting, and in partial defeat of Macbeth. Malcolm was consequently installed King of Cumbria and Lothian, over which he ruled for three years. Siward of Northumberland died soon after, and was succeeded by Tostig, son of Earl Godwin, who was not related to the late Northumbrian family. Malcolm, still requiring the friendship of his southern neighbour, forms a firm alliance with Tostig: 'they are like sworn brothers.' Secure in the south, he sets out to attempt the overthrow of the northern usurper; and he is this time completely successful. Macbeth was slain at Lumphanan in Forfarshire, and Malcolm became King of Scotland as no man had been king before. From this date Malcolm reigned for thirty-five years. Safe now in

* 'Orkeyinga Saga,' Skene's 'Celtic Scotland,' vol. i., p. 402.

his own territory, and in Tostig's absence, he attacks Northumbria, and harries after the usual fashion, as if no sworn brotherhood had existed between them. About this time Malcolm married the widow of Thorfinn, Earl of Orkney, Ingibiorg by name, by whom he had two sons, Duncan and Donald. She did not long survive; for in 1067 his second and more important alliance took place. He now married Margaret, sister of Edgar Atheling, who had come under the protection of his Court, along with his sisters and mother. This marriage brought Malcolm into close friendship with the native Saxon element in the country, but at enmity with the Norman power. Hence we find he made continual incursions into Northumberland, either to oppose the Norman, or uphold the right of the Atheling to his Saxon throne. After Tostig had enjoyed his earldom for ten years, he was dispossessed of his dignity and driven out of his own dominions. The successor to this earldom was Osulf, a descendant of the old family, whose last reigning scion was killed in 1041. Cospige, an adherent of Tostig's, drove out Osulf from his possessions. He was slain soon afterwards by Osulf, who, in his turn, having attacked a robber in his wanderings, was slain by the robber's lance.

This brings us to the next and the most famous Earl of Northumberland, Gospatric, son of Maldred, son of Crinan, who was thus connected with the royal House of Scotland, and, through his mother, with the old line of Northumbrian earls. Gospatric obtained the earldom, partly by gift, from the English King. He was loyal to his benefactor for a time, but at last he joined Malcolm in one of his English raids. He was thus obliged to take refuge at Malcolm's Court till the wrath of the English King passed away. He was restored to his earldom for a time, when he again embroiled himself in new quarrels, till the Conqueror deprived him of his rights, and conveyed them to Waltheof, Earl of Huntingdon. Gospatric remained true to his new alliance, was appointed by Malcolm on foreign service, and was rewarded for his fidelity with the earldom of Dunbar, a large territory—indeed, the greater part of East Lothian. He thus became the first of a long line of historical characters who have borne this title, famous in the annals of Berwick, not only in the reign of Edward I. but also in the reign of James I. of England, when the present charter was granted. Malcolm continued to make repeated inroads into Northumbria, but was at length compelled to come to terms by William the Conqueror, then King of England. When Rufus began to reign, Malcolm again resumed his predatory habits, and entered Northumberland with the old idea of extending his border-line to the Tyne. A peace was again concluded, in which Malcolm owned and acknowledged Rufus's overlordship of the Lothians. This cessation of hostilities was again broken, not by the northern

King, but by Rufus, who tried to force his boundary north of Carlisle, and displace Dolphin, son of Gospatric, from his Cumbrian government under the Scottish King. Malcolm, furious at this interference, gathered his forces for another plunge into the enemies' grounds, more than wearied out with these repeated assaults. But he did not meet with the success he expected. Robert, Earl of Northumberland, ensnared him to his ruin. He was slain by Morel of Bamburgh. Simeon of Durham adds that he was cut off near the river Alne, and that his army either fell by the sword, or those who escaped the sword were carried away by the rivers, which were then more than usually flooded by the winter rains. Two natives of the district placed the King's body in a cart, for none of his own men survived to perform this sad duty, and buried it at Tynemouth.

Canmore died in 1093, and for four years after this the Scottish throne was given up to the conflicting claims of different aspirants. Towards the close of this period a successful attempt was made to place Eadgar, son of Malcolm, in kingly power. In this he was assisted by an army from England, and by the Atheling, with whose aid Donald Bane, the usurper, was defeated and dethroned. Fordun, in his 'Chronicle,' says that while Eadgar was going north, St. Cuthbert appeared to him in a dream, and advised him to carry his (Cuthbert's) standard from Durham in front of his army, which would be sure to bring him victory and success. For this benefit by the gifted saint, Eadgar founded anew the Monastery of Coldingham in 1097; and this princely man, adds Fordun, heaped gift upon gift, and confirmed by gift to the Bishop of Durham and his successors the noble village of Berwick, with all its appurtenances. We believe this to be the earliest indisputable notice of the town. The same statement is referred to in the MSS. Galo O. 3, 55, in Trinity College Library, Cambridge, the handwriting of which belongs to the first half of the twelfth century. In this it is said that King Eadgar gave to St. Cuthbert 'Berwick with all its belongings,' and revoked the gift soon afterwards. The same matter is referred to in a greatly disputed charter of Eadgar's, a charter whose authenticity is believed in by Raine and denied by Skene. This gift is said by historians to have been made to Ralph Flambard, Bishop of Durham, who is said to have shortly afterwards assaulted one of Eadgar's favourite captains, hence the King revoked the gift from so ungrateful a recipient. The rest of Eadgar's reign passed in peace. He died in 1107, and was succeeded by his brother Alexander the Fierce over the north of Scotland, and by David, his younger brother, over the southern parts of the country, viz., the Lothians and Cumbria.

David reigned over the southern parts of Scotland seventeen years before he became ruler over the whole of the land. In 1124 he became David I., King of

Scotland, and ruled until 1153—a long and most beneficial reign for the people. In the history of the country during all this time we do not find any reference to Berwick, or its inhabitants of that day, taking part with the King, in his foreign or domestic raids, against his enemies. His transactions with our neighbours in Northumberland are important, but throw little or no light upon our town's history, so that we can pass them over without any detriment to our story; but when we come to his domestic policy, we then enter the heart of our subject. Very early in his reign, in 1113, he founded at Selkirk 'a colony of Benedictine monks from the newly founded Abbey of Tiron, in Le Perche, and planted it beside his forest castle of Selkirk.'* This colony he removed to Kelso, when he ascended the Scottish throne, and richly endowed it with possessions from various parts of Scotland as well as from Berwick. Again, before the year 1130 A.D., this King gave the Church of St. Mary, in Berwick, to the Coldingham monks in exchange for the Church of Melrose.† The Statutæ Gildæ were now framed in Berwick, for we read that, when Bishop Robert of St. Andrews was desirous of erecting a burgh at his episcopal see, the King granted him a site, and transferred to the new burgh the services of Mainerd, as its provost, a Fleming and a burgess of Berwick, where he had learned the burgh usages and the duties of his office. Such was the beginning of St. Andrews as a trading burgh. Further, we know that Berwick during Edward's reign was made one of the four royal burghs of Scotland.

Taking all these points into consideration, we can now see Berwick, at this early date, a large and well-ordered town, a Royal Burgh, its lands gifted by the King whithersoever he wills, a burgh governed by its councilmen, presided over by a Provost or Bailie; for if not, how could Mainerd be deputed to teach the St. Andrews citizens the customs and usages of a burgh? Berwick can now be traced from earliest times, as starting into existence as a small fishing village on the Tweed, whose salmon soon made it a place of special interest. The town increased by degrees, slowly perhaps, until it had attained, early in the eleventh century, the position of a port sufficiently large to harbour war-vessels of the Scottish King. The wave of feudalism now passed over the country. During the Danish wars every town had to choose its lord; but Berwick was important enough to pass into royal hands. Immediately after the Norman Conquest it was brought completely under the oppressive feudal system, when its lands belonged to the King. Eadgar, trained at the English Court, in all the routine of feudalism, thus took the town and gave it to the Bishop of Durham

* Innes's 'Sketches of Early Scotch History,' p. 177.

† Raine's 'Coldingham Charters.'

as a gift—that is, he gave him the rents and revenues derivable under feudal tenure from the royal cities of his kingdom. David succeeded after Eadgar to his lordly right; but, sagacious and far-seeing in his policy, he brought into his burghs traders from the south, and traders from the Flemings, and fostered with all his influence the growth of his royal burghs as centres of freedom, and as a counteracting force to the great feudal lords of the land. Berwick, with the same streets, which have for now nigh 800 years been its paths of commerce and pleasure, with its churches and religious establishments fostered by the pious King who was so 'sair a saunct' for the Crown, was firmly established in this reign; and began the career of prosperity, which came to a climax in the reign of the third Alexander.

Before leaving David's reign, we find that he founded outside of Berwick the Nunnery of St. Leonards, a convent of Cistercian nuns—Fordun calls it 'a monastery of Holy Nuns close to Berwick.' This nunnery continued here till Robert III.'s reign, when it was suppressed by that King. The history of the place is involved in obscurity so far; but rays of light are thrown in upon it at rare intervals, as shall afterwards be recorded.

David I. was succeeded by his grandson Malcolm, and during his peaceable reign, as far as our district is concerned, there is not much to chronicle. But in 1159 he extended the charter granted to the Kelso monks of their possessions in Berwick, which had been gifted by his grandfather. The church of St. Lawrence, in the same reign, was given to these monks by Robert Fitzwilliam. The castle is first actually mentioned in Malcolm's time. Reginald, who flourished A.D. 1167, tells the story of a man miserably imprisoned by Malcolm, King of Scotland, in Berwick Castle; how St. Cuthbert, in spite of bars and fetters, freed him from durance, and brought him safe over the Tweed to Norham Church. This is a really contemporary notice, and though the miraculous must be rejected, yet the fact that the castle existed cannot be disputed.

From the peaceful and comparatively short reign of Malcolm the Maiden, we pass to the stormier and more momentous reign of William the Lion. To understand the events of this reign, we must turn back a little. David I. had married Maud, the eldest daughter of Waltheof, Earl of Northumberland, so that, besides the old claim to Northumbria that had ever haunted the imagination of the kings of Scotland, David had now the superior claim of relationship. It was to enforce this claim that the Battle of the Standard was fought, and, for the same purpose, David made raids into Northumberland. The matter was settled in Stephen's time by the Treaty of Durham, which granted the earldom to Henry,

David's son. When Malcolm came to the throne, the English crown was worn by Henry II., who had assumed the earldom into his own possession. During this reign the Scotch King, friendly with the first Plantagenet, made no effort to regain it; but when William found himself face to face with this King, there was no longer acquiescence in this arrangement. William's whole energies were very soon bent upon winning this earldom and annexing it to his kingdom. Henry II.'s high-handed rule had inclined a number of barons to throw off their allegiance. The King's eldest son, who had been crowned in the early part of his father's reign, was urged by the Queen to rebel and demand from his father the realm over which he had been crowned. By large promises he attached the barons to his side, and in like manner he gained over the King of Scots by promising him both Northumberland and Cumberland. William, on his part, was to invade England and assist the disloyal English to establish the young Henry on the throne. In carrying out this programme, William the Lion invaded Northumberland, laid siege to Carlisle, and ravaged in general these northern counties. Here are the details of this destructive raid:

'Hear of the King of Scotland how he warred,
When he departed from Wark how he proposed:
He prepared at night a great number of chevaliers;
To the Castle of Bamborough immediately despatched them;
I well knew the Baron who conducted and led them—
I will not speak of him, for much he has lost by it.
This assembled host will do wonderful damage.
Now, would to Jesus, the Son of Holy Mary,
That the poor people had been warned of it,
Who in their beds are sleeping and know nothing of it!
It was still morning when the dawn cleared up,
When these chevaliers armed themselves, the fierce company.
The town of Belford was first attacked;
Over all the country they scattered themselves—
Some run to towns to commit their folly,
Some go to take sheep in their folds,
Some go to burn the towns—I cannot tell you more;
Never will such great destruction be heard spoken of,
Then might you see peasants and Flemings who tie them,
And lead them in their woods like heathen people;
Women fly to the minster—each was
Naked without clothes, she forgets these her property.
Ah God! why did William de Vesci not know it,
Roger d'Estuteville, the other also?
The booty would have been rescued, nor would they have failed in it,
But they knew it not: certainly it grieves me.

They burnt the country; but God was a friend
To those gentle peasants who were defenceless,
For the Scots were not their mortal enemies;
They would have beaten, slain, and ill-treated them all.
Very great was the booty which the Royalists carry away.
They came to Berwick-on-Tyne [Tweed] to their lodgings:
They have joy enough for that and much amusement,
For they are rich in cattle, oxen, and horses,
And in fine cows, sheep, and lambs,
In clothes and money, in bracelets and rings.'*

On William's withdrawal to Berwick, he was followed by the English Justiciar, Richard de Lucy, and the Constable, Humphrey de Bohun, before whom he fled into Scotland. These English leaders brought their army across the Tweed, burnt Berwick, and laid waste the surrounding country. This is the first instance of a long series of disasters which we have to chronicle about Berwick:

'. . . . Henry de Bohun, who boldly advances,
Caused to the King of Scotland the loss of Berwick.
Lord Humphrey de Bohun was of very great consequence,
The barons of Northumberland are his companions;
They burnt all Berwick with fire and firebrands in it,
And a great part of the surrounding country.'†

Berwick was not long in recovering this damage. Wooden houses soon blaze to the ground and are quickly restored, so the calamity, terrible in its swift retribution, would soon be forgotten, and Berwick would return in a short time to its career of prosperity. Disturbances of a serious nature recalled the English army southwards. The Lion King sought to assist, in another expedition, the rebel son of the English King, and, under his protection, to penetrate with an army into England. Driven back a second time by an English force, William was slowly retiring towards Scotland, when he was surprised and captured at Alnwick by Ranulph de Glanville, Justiciar. This terrible misfortune told heavily upon Scotland for a time. William was carried to Northampton to the King's presence with all the indignity of a captive; but, before the end of the same year (1174), he bought his liberty by recognising Henry as his suzerain lord, and doing homage for his whole kingdom. The Treaty of Falaise arranged the terms of William's surrender; and, to ensure a proper observance of the terms of the treaty, the English King demanded five of the Scotch castles to be given up to his keeping. Berwick Castle was one of these; and it now remained for fifteen years in the hands of the English. This is the second mention of Berwick Castle that can be

* Jordan Fantosme's 'Chronicle'; Stevenson's 'Church Historians.'

† Fantosme's 'Chronicle.'

relied upon. It could not be of any great age at this time; nor is it at all probable that it was a castle of any strength; for Burton says 'that down to the opening of the War of Independence there were very few castles built of stone in Scotland.'* But, if we must credit Camden, Henry II. rebuilt the castle while it was subject to English rule. If he did so, he would change the rude fort into a well-fortified place, and at least lay the foundation of that structure that was in all its glory of unassailable strength during the reigns of the three Edwards.

The castle was now governed by the English, and garrisoned by English soldiers. The name of one of the early governors has been rescued from oblivion: 'Tempore quo Gaufridus de Neeville habuit custodiam castelli mei de Berwic.'†

It is such a well-known episode of English history how William received back the homage of his country from the English King, that we need scarcely refer to it. In 1189 A.D., fifteen years after the Treaty of Falaise, Richard I. sold the homage of the Scottish King for 10,000 marks, and the castles of Berwick and Edinburgh were delivered up to freedom from the hateful English bondage: for we are told that 'Richard, King of England, has restored to his dearest cousin William, King of Scotland, his castles of Roxburgh and Berwick *as his own by hereditary right.*'‡

During the rest of Richard's reign there was profound peace between the two countries, and Berwick, as usual, drops out of sight in the world's history; but, upon John ascending the English throne in 1199, William began at once to assert his claim to Northumberland and Westmoreland. Negotiations with this end in view proceeded very slowly. Evidently John did not intend to part with these earldoms without a hard fight; for, in 1204 A.D., he was engaged in fortifying a tower in Tweedmouth, situated on what is, at the present day, called Tower Hill, clearly with the design of defending, not the bridge, but the ford across the Tweed which was almost opposite this particular point. This fortress William treated with grave suspicion, and as John's men were hastily building it, he sent a sufficient force to stop operations and raze the whole to the ground. These operations were repeated on both sides, with the same result. John's design was to secure an open road to Scotland, and the Lion King's determination was to allow of no such highway, nor any defence erected for that purpose. John continued for some years in no amiable mood at William's conduct, until at length, in 1209, a treaty was framed at Norham, in which John undertook never again to attempt this tower-building, and William on his part gave his two daughters to be married to the two sons of the English King, and promised to pay 1,000 marks in consideration of these marriages,

* Burton's 'History of Scotland,' vol. ii., p. 98. † 'Chartulary of Melrose,' 1174 A.D.

‡ Bain's 'Calendar of Documents relating to Scotland,' December 5, 1189.

and for the dishonour done in demolishing the works at Tweedmouth ; and thus, in a grumbling, half-satisfied spirit, both Kings maintained the peace till the close of William's reign.

Before leaving this reign, we have the following notices of Berwick as a sea-port. When William was warring with the English King, he was anxious for the assistance of some Flemings to aid him in his battles. He accordingly sent messengers to Flanders to seek aid, and so

> 'William de Saint-Michel will deliver this message
> And Robert de Hureville, for both are wise ;
> They have often given proof of ability in need,
> They well know in rich court to speak many a language.
> To do this message depart these messengers ;
> The King desires it, and it is his pleasure, so they do it most willingly.
> At Berwick-on-Tyne [Tweed] they find the boatmen
> Who will take to Flanders the wise messengers.
> Already they have entered barges, also on the high sea,
> And hoist up the sails, and cause the anchor to be weighed.
> They do not care to coast along England :
> They are their mortal enemies, whom they used to love.'*

In Reginald of Durham we have, likewise, the fact that sailors were to be found in Berwick harbour. 'A ship's crew,' he says, 'consisting of men from London, Berwick, Holy Island, and Bamburgh, had been long detained in Farne by stress of weather.'† Again, King John of England, at the instance of William King of Scots, ordered Philip de Ulecote, Custos of the Bishopric of Durham, to make inquiry concerning the seizure of a ship off Bamburgh. If he found, by a jury of his trustworthy men, that the goods seized were worth £29, he was commanded to restore this sum to William, his burgess of B'ewugca (Berwick), from the issues of his bailliary and it would be, again, allowed him at the Exchequer.‡

Alexander II., a minor, succeeded the brave old Scottish King ; and as the custom had been of former kings, viz., to foster rebellion in England for the purpose of gaining their own ends, Alexander favoured the barons that had risen against John, and a number of them swore fealty (1214 A.D.) to Alexander at Felton in Northumberland, and with a large force laid siege to Norham Castle. John, incensed at his conduct, led, in his most angry mood, an army to the north. The Scottish King retired, and was followed closely by the southern army. John entered Berwick on January 15, 1216, and took the town and castle, and perpetrated here most horrible cruelties. The 'Mailros Chronicle,' which is the chief source of information in this expedition, adds, 'refertur aduxisse judeos secum et magistros

* Fantosme's 'Chronicle.' † Chap. xx. ‡ Bain's 'Documents,' July 18, 1214.

malicia illos efficisse.' The same authority says that he caused men and women to be suspended by the fingers and toes, and to be tortured with most inhuman barbarities. John went in this expedition as far as Haddington, and, on returning, he plundered Coldingham and burnt Berwick in a most shameful manner, setting fire with his own hand to the house he had slept in that night, 'contra morem regem indecenter.'* This destructive raid of John's led only to reprisals. He had no sooner gone south, called thither by the turbulence of his own barons, than Alexander ravaged Northumberland and Cumberland in a most cruel manner. This King allied himself with Louis of France and the party in England opposed to King John. For this he was excommunicated by the Pope; for the Holy See had, ere this, received John back to its allegiance, and all his enemies were put under the ban at the Lateran Council. At this juncture John died, and was succeeded by a minor, who was governed by a strong and powerful regent, Earl Mareschal Pembroke. Louis of France was disgracefully beaten at Lincoln, and left the kingdom. The party was broken up, and Alexander retired within his own realm. Next year he received absolution at Tweedmouth from the hands of the Archbishop of York and the Bishop of Durham.

From the journeyings of the period we learn that the highway to Scotland then, as now, was by the Berwick border. The old town served as a baiting-place for the Papal Legate when on his way to absolve the people of Scotland, who had been excommunicated along with their King. After the Papal Legate, Wisbech, a Yorkshire archdeacon, had been north and was returning through Berwick, he found the religious of the Cistercian Order in a riotous and refractory mood. Holding a council in Berwick on Palm Sunday in 1218, he found them guilty, and excommunicated them all, and those who sided with them. From this time for about seventy years few public events are connected with the town. The Kings of the two rival countries, through marriages of near relationship, lived henceforth in peace. In 1235 one of these took place in Berwick, when Alexander II. celebrated the alliance of his sister, Margaret, to Gilbert, the Earl of Pembroke and Mareschal of England, at which marriage were present the King himself, the peers of his realm, and many of the English noblemen.† If we only had full details of this event, there is no doubt but that we should find the feasting and revelry of that high time compare well in quantity and variety with any marriage feast of later days.

The kingdoms now enjoyed a period of tranquillity. The Scottish King ceased from this time to make demands on the English King for part of his territory, and

* 'Chronicon de Mailros,' p. 122. † 'Chronicon de Mailros,' 1235 A.D.

the borders were at rest. An attempt was now made to trace out the boundary line between England and Scotland, which ended in both parties leaving for centuries a part called the 'debateable land,' which could be assigned to neither country.

While external peace thus prevailed, the countries became prosperous. Trade, home and foreign, was developed in no ordinary degree. The terribly destructive raids of William the Lion must have checked the trade of Berwick in its natural increase; but, during the reigns of the two Alexanders, the town developed rapidly. Its exports, in particular, grew to vast importance. Before David I.'s time Fordun calls it the noble village of Berwick;* William of Newbury, in the twelfth century, calls it the noble town of Berwick, belonging to the King of Scots.† The 'Lanercost Chronicle,' about the middle of the thirteenth century, says this town was formerly so populous and of such commercial consequence that it could deservedly be called a second Alexandria, whose riches was the sea and the water was its walls.‡

In 1224 there is an interesting notice of Berwick as a shipping port. The Abbot of Boxle has a license to send a vessel to Berwick to buy *herrings* for the sustenance of his house, to endure till the feast of St. Michael (*sic*) Baptist next. Again, the King grants leave to John Ruffus, burgess of Berwick, that he may return *pro hac vice* to his country with his vessel called the *Portejoye*. The bailiffs of Southampton are ordered to allow John Ruffus, the King of Scotland's burgess, to take away his ship laden with merchandise arrested in their port.§ The bailiffs had been over-zealous in their work here.

The Norse writers tell us that Berwick had at that time many ships, and more foreign commerce than any other port in Scotland. An anecdote related by Torfæus gives us a better impression of the wealth and enterprise of its merchants than any general description. A ship belonging to Cnut, who was commonly called the opulent, a citizen of Berwick, was taken at sea by Erlend, Jarl of the Orkneys. On board the vessel captured was the merchant's wife, returning from a pilgrimage over the sea. Instead of yielding to the panic these northern pirates used to inspire, Cnut bestirred himself. He took from his well-filled coffers 100 marks of silver, and was able with that sum to hire fourteen ships fully manned, with which he instantly gave chase. And shall we not join with Innes, who relates this story, in the hope that Cnut rescued his ship and his lady wife?‖ Connected with the piracy of the North Sea, here is another instance. 'The King (Henry III.)

* Fordun, Book V., chap. xxvi.
† W. Newbury v. 23.
‡ 'Chronicon de Lanercost,' 1266 A.D.
§ Bain's 'Documents,' 1224 A.D.
‖ Innes's 'Sketches of Early Scotch History,' p. 234.

to all his bailiffs of his ports in England, Ireland, and Gascony: As certain servants of John le Escot, burgess of Alexander, King of Scotland, of Berwick, without his (John's) consent, have long ago taken away his ship with its cargo, and are wandering about as vagabonds and fugitives on the sea, the King commands them to arrest and restore the ships to their owners."* The chronicler of Lanercost was a Churchman, and so he takes care to relate that the merchant princes of Roxburgh and Berwick were munificent givers to the Church, but more especially the merchants of Berwick. These gifts are enumerated in the various charters of the abbeys of the period. There was scarcely an abbey in Scotland that had not property in Berwick.

Towards the close of Alexander III.'s reign, facts disclose still more clearly the greatness of Berwick's commerce. The King had run to the extent of £2,000 in debt to a Gascon merchant for wine—a very heavy wine-bill, if we take into consideration the value of money in those days. John Mason, the merchant, was quite content with the assignation of the customs of Berwick as a guarantee of payment. Again, the dowry of the widow of Prince Alexander, son of the King, was settled at 1,500 marks, 1,300 of which were to be paid out of the same customs. At the very close of the reign, in 1286, Berwick had touched its highest point of prosperity, for it was actually paying for customs into the Scotch Exchequer £2,190 annually. This sum was equal to about one-fourth of the whole customs of England. The export trade, from which these customs were derived, consisted principally of wool, woolfells, and hides. These goods were collected from the whole basin of the Tweed. In that basin at that period flourished the great monasteries of Melrose, Dryburgh, Jedburgh, and Kelso, and attached to each were vast flocks of sheep and cattle. From all these abbey-grounds, wools and skins were sent to this port in large quantities. Northumberland sent its quota as well. In the town of Berwick was a colony of Flemings assisting to carry on and foster this trade. Their place of business was the Red Hall, situated, according to tradition, in the street now called (not at all inappropriately) 'Woolmarket.' These Flemings, along with the native merchants, exported their goods to Flanders—to the staple at Bruges. Salmon formed part of the staple trade of the town, and were a considerable source of wealth to its inhabitants. We have mention made of minor trades—glovers, tanners, butchers, and bakers. Mills are mentioned, and carefully regulated in their work. Brewers were plentiful, and the price of the ale was such that the commodity was within

* Bain's 'Documents,' May 7, 1263.

reach of all. The castle was fortified, and a great trade ensued in keeping it duly supplied with provisions for the King and his soldiers.

For at least one hundred years Scotland had been ruled by able kings, and latterly by kings peaceable as well, and Berwick had prospered during the calm; but in 1286 A.D. Alexander III.'s reign came to an abrupt close through his violent death. He had been at a council meeting in Edinburgh on the 12th day of March, says Burton—the 16th, says Fordun—when he, after the meeting, set out to proceed to Kinghorn, where his Queen Joleta was staying. He was delayed at Queensferry until it was dark, and, not taking advice to stay at Inverkeithing all night, he set out 'to ride in the dark along the coast of Fife opposite to Edinburgh. Near the present burgh of Kinghorn he had to pass over a rugged promontory of basaltic trap. He was pitched over one of the rocks and killed. Such was the final calamity, opening one of the gloomiest chapters in the history of nations.'*

On reviewing the reigns of the Kings from David, we find they have spent much time in Berwick. A house in the town was long known as the Palace, said to have been the residence of these early Kings. Charters are dated from Berwick in all these reigns. David was much about his royal town. The laws that were here framed, the Institution of the Court of the Royal Burghs, tell of much work. William the Lion in person repelled John's attack at this place, and in addition to charters dated at Berwick in his reign, we must conclude that he saw much of the town and its neighbourhood. Alexander II. dated three charters here in 1232, and had with him a large Court, consisting of the Abbot of Melrose, his Chancellor, Seneschal and Justiciar, Earl Patric, his Chamberlain, Roger Avenel, David Marescall, Aymer de Maccuswell, John de Sterling, John de Hauden.† In 1248 he dated another charter here just before his reign closed.‡

Alexander III. spent a considerable part of his time in Berwick. 'The King and Queen of Scotland being about to visit the King (Henry III.), will be at Berwick on Sunday next after the octaves of Michaelmas.' Master John Mansell, 'Custos' of the See of Durham, was commanded to meet them on that day (10th October), offering them, on the King's behalf, escort through the forests of the see and entertainment in its castles and manors, and all fitting courtesies and honours.§

In 1266 the King of Scotland held his birthday regally and with great

* Burton's 'History of Scotland,' vol. ii., p. 43.

† 'Chronicon de Mailros,' 1232 A.D. ‡ Raine's Appendix, No. 73.

§ Bain's 'Scottish Documents,' 1260 A.D., September 28, *circa*.

rejoicing in Berwick, with almost all the chief dependents of his kingdom, where were present Edmund, the younger son of the King of England, Earl of Leicester, etc.*

In 1268 John, son of John Comyn, was knighted in Berwick by Alexander III. He was the father of the Red John Comyn, who was slain by Bruce.†

In 1278 a great dispute arose between Alexander and the Bishop of Durham about the marches. At a great meeting of the magnates of both countries at Tweedmouth, after much contention, the controversy was settled.‡

In 1279, at Berwick the King granted part of the rent of a mill to the monks of Holy Island.§

In 1281 Alexander, for himself and his daughter Margaret, with the consent of his son and all his council, arranged with the ambassadors of Eric, King of Norway, for a marriage between the latter and Margaret, Alexander's daughter. Her marriage-portion was settled at 4,000 marks sterling.‖

A few incidental notices on these reigns may be of interest. The variations in prices in the necessaries of life must have caused much suffering. A plentiful year reduced them to a minimum. In 1248 wheat fell as low as 2s. a quarter (*summa*), and a hogshead (*dolium*) of wine was sold for 2 marks; seven years later, wheat was again as low as in 1248, and barley was quoted at 12d. Next year a great flood came, and wind and water mills were swept away in its course; and, in the year following, another great flood occurred, and one river alone, in the north of England, carried away seven great wooden and stone bridges. In 1258 the rains had continued long, and, as always in all these wet years, a great famine ensued. Fifteen thousand paupers died in London alone.¶ The summa of wheat was now sold for 16s., eight times the price of an abundant year. Such was the continuance of rains in this latter year, that at the feast of All Saints corn was still standing uncut,—a thing unheard of. During harvest there was constant rain. Again, in 1287 corn was so abundant that the quarter sold as low as 20d., or even 12d; and then, six years later, it rose to the unprecedented figure of 30s.** Such violent changes must have caused untold sufferings among the poorer people.

There were many signs of civilization at this period, which were obliterated during the wars that ensued. Agriculture was particularly attended to

* Fordun and Goodall, 1266 A.D.
† I. Caledonia, 1268 A.D.
‡ Fordun, 1278.
§ Raine's Appendix, No. 77.
‖ Rymer's 'Fœdera,' ii., 1281.
¶ Matthew Paris is the authority for all the statements in these different years.
** 'Chronicon de Lanercost,' 1287.

by the people. The great monasteries reared their cattle and their sheep, ploughed their lands, and raised corn for supply of man and beast. Good roads existed all along the Borders. A road from Kelso to Berwick for wheeled carriages was kept in good repair, and this road was continued across Scotland as far as Lesmahagow: but so terrible was the retrograde movement which followed, that even wheeled vehicles did not appear again till the eighteenth century.*

Scotland was undoubtedly wealthy at the time, as the magnificent abbeys, whose ruins are now so interesting, abundantly testify. Berwick citizens, we have already seen, were wealthy. The other burghs had likewise their merchant princes, living in the splendour of the period. Gardens were common, and rich orchards. The nunnery of Coldstream had an orchard whose fruit was valued at 100s. annually, beyond what was consumed by the house. In short, no one can turn with a light heart from the brightness which illuminated the Borders in the thirteenth century to the darkness, the devastation, and the horrid cruelty that disfigured them for the next three hundred years. The old chronicler, very much to the purpose, sang as follows:

'Quhen Alysandyr our Kyng was dede
That Scotland led in luve and le
Awaye was sons of ale and brede,
Of wyne and wax, of gamyn and glé
Our gold was changed into lede.
Cryst borne into virginite
Succour Scotland and remede
That stad is in perplexityé.'†

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* Chambers's 'Wallace and Bruce.'

† Quoted by Wyntoun.

CHAPTER II.

THE chapter of this history that now opens is certainly gloomy enough: but, before we reach the deepest gloom, we shall chronicle the events that preceded it. On Alexander's death, the heir to the throne was a minor and a girl, the Maiden of Norway, granddaughter of the King and daughter of Eric of Norway. Six guardians were appointed to govern Scotland until arrangements were made with her friends in Norway for the home-coming of this girl, heir to the Scottish throne. At the same time negotiations were opened with England as to the marriage of this child with the eldest son of the English King. Some preliminaries of this alliance were drawn up at Salisbury in 1289; and, in the following year, a meeting of Scotch and English magnates took place at Birgham, a village not far from Kelso, on the north side of the Tweed, where a treaty was made, in which both countries agreed to the marriage, and definitely settled some points, that, through the interfering nature of Edward I., might become matters of dispute. The only points that concern our history are these, 'That no appeals from Scotland were, on any consideration, to be heard at English courts; and that Anthony Beck, Bishop of Durham, was appointed lieutenant to act with the guardians of Scotland on behalf of Margaret the Maiden and her husband.* Beck began very early to act with evident harshness towards Scotland; for, in the same July in which this appointment was made, a complaint was forwarded to the King that 'after the Parliament at Birgham, Anthony Beck, Bishop of Durham, and his men have greatly molested us and our men, which thing our messengers will be able more correctly to inform you about; and we pray redress.'†

* Burton's 'History of Scotland,' vol. ii., p. 49.

† Stevenson and Bain's 'Scotch Documents,' 1290 A.D.

The marriage negotiations came to a sorrowful termination. The Maiden never reached her new kingdom; for, when she was being brought home from Norway, she died in the Orkney Islands. There being no other direct heirs to the throne of Scotland, thirteen competitors appeared for it; but the claims of eleven were disallowed without much trouble. Those of Baliol and Bruce were conflicting in that age, when strict hereditary descent, according to the prevailing notions of modern jurists, was not clearly defined. Edward I. had so far interfered in the settlement of Scottish affairs that it was supposed he might do so again without much difficulty or danger. He was accordingly appointed arbiter between the conflicting claims of the rivals to the throne. These claims were advocated before Edward, first, in an open plain on the Haugh opposite Norham Castle and in the parish of Upsetlington, now part of the parish of Ladykirk; then, in Norham Church the company met; afterwards, in Norham Castle. These meetings began in June, and were continued till August, 1291. On the 15th of that month the company removed to Berwick, and met in the Dominican Chapel, close by the castle. From this meeting in the Friary at Berwick the settlement was postponed till the following year. The company again met, in the same chapel, in the month of June, and again in July, when it was deferred till the autumn. In October and November, meetings took place to debate and arrange the terms of settlement. The final meeting was held on the 17th of November, 1297, in the great hall of the Castle, when Edward I., in regal magnificence, in presence of the full Parliament of England, of many prelates of both kingdoms, of earls, barons, knights, magnates, besides a copious multitude of the populace of both England and Scotland, decided in favour of John Baliol, and against the claims of Robert Bruce. The chroniclers leave us in doubt whether this award was heard in solemn silence or with loudest plaudits from the Baliol partizans. We are sure of this, that no like meeting was ever held in this old town, and none certainly that has had such momentous issues on its welfare and on the destinies of the two countries so intimately concerned.

Edward issued an order, on the 19th of November, for Baliol to have seisin of the kingdom of Scotland; and another, commanding the castles of Scotland to be given to him. For this latter purpose he addressed Peter Burdett, the keeper of Berwick Castle, in these words:

'King Edward, by the grace of God, King of England, etc., and overlord of the Kingdom of Scotland, to his faithful and beloved Peter Burdett, keeper of the Castle of Berwick: salute. We order you that you cause to be delivered without delay to the aforesaid John de Baliol, or his attorney bearing these letters, the seisin of the aforesaid Castle of Berwick with all its purtenances, along with all other things delivered to you by chirograph, according as you have received the things belonging the same in the aforesaid committed to your care.'

On the same day on which Edward issued this order in the hall of the castle, he broke the old seal of Scotland into four parts, and put them into a certain leathern bag, and placed it in the treasury of England, to be preserved as a monument of his sovereignty over Scotland. Baliol swore fealty to him the next day at Norham, and, after he was enthroned King at Scone, he was obliged once more to swear fealty to Edward at Newcastle. He was now fully installed as vassal King of Scotland.

At this time many names of Berwick burgesses are found in the public records. More than eighty substantial men took the oath of allegiance to Edward when he gave Scotland to Baliol, and assumed to himself the overlordship of that country. The list will be given in full in Appendix No. 1. From the 'Historical Documents,' edited by Stevenson and Bain, we learn much concerning the town, and want of space alone compels us to confine our remarks to a few items.

The value of money was very different at that distant date. Thomas de Braytoft and Henry de Ry on September 15th, 1290, passed through Berwick on their way to the Orkneys. They stayed with their four companions one night in Berwick, and their expenses, for themselves and four horses, amounted altogether to 4s. 6d. On Tuesday, before starting, they bought some trifles in town for 7s. 8½d. Next, they lodged at St. Andrews at an expense of 4s. 8½d. On Wednesday they stayed at St. Andrews, on account of a storm, for 3s. 6½d. Thursday, they went by water to Montrose for 4s. 6½d. Whether travelling was luxurious or not, might be a question, but certainly it was cheap enough. Ralph Basset, as keeper of the Castle of Edinburgh, received 13s. 4d. a day for that very important task. This same sum was, for a long time, the pay of the keeper of Berwick Castle. The Chancellor of Scotland was paid with £100 a year. Osbert de Spaldington, Sheriff of Berwick, was detained in Scotland twenty-two days, hearing complaints in the courts there, and received for his work £1 18s. 1d. Stephen the Falconer was sent to London from Berwick on account of a falcon. He was occupied forty-one days in the journey to and from London, from 4th November to 15th December, and received 7½d. every day to himself—viz., £1 5s. 7½d.—for this arduous work.

The three pages, who stay with John de Brabant's (a servant of King Edward) horses at Toughale for thirty days, received in all 7s. 6d. Egidius, a servant of Brabant's, was sent from Jedburgh to Berwick and was stayed there for two nights, and received 1s. 9d. John's chaplain had fallen sick at Berwick, and he was unable to accompany his master to Roxburgh. For the few days he lay in the town

his master was charged 9s. 8d. The same John had a room in Berwick Castle whose roof was leaky, which cost 7d. to repair.

The King spent most of the summer and autumn of 1292 in Berwick and neighbourhood, staying, as was the wont of kings, in the great feudal castle, that could alone give him a feeling of security in such rude and boisterous times. Edward, now interested in the Border castles, supplied them with stores of various kinds: 'xciiij. bacons, mmm. vjc. xv. qr. di frumenti (wheat) and m. vijc. xxvj. qr. of oats' were sent on to Berwick, and thence distributed to Jedburgh, Stirling, Dumbarton, and Edinburgh. The 'bacons' were distributed by twenties to each of these castles, leaving fourteen only to Berwick. The corn was similarly treated. The King, during his stay here, gave letters of safe-conduct to a great many merchants to go and trade in all his dominions. Robert Oliver, merchant in Berwick, gets letters of safe-conduct for five years. Thomas the Jew, and Jordan his son, burgesses and merchants, were granted the same privilege. The same rights were granted to Galfridus the cutler, Roger Broker and William his son, Alan de Langton, Thomas de Beyremme, Peter de Coventry, and Ralph de Whitby; William Orford, merchant; John Oter, merchant in wines, wools, etc.; John of Aberdeen, wine and corn merchant. Many of the surnames indicate the different localities whence the merchants had come, attracted, no doubt, by the fame of the place and the extensive and lucrative trade here carried on. Again, the King granted a safe-conduct to John le Brun, burgess of Berwick, to trade with a ship called *Godyere* along the coasts of England. As long as he trafficked in legal merchandise he was not to be disturbed. Brun had bought this vessel from John le Clerc of Roxburgh, a burgess of Berwick, for 31½ marks.

During this summer Alexander de Baliol, Chamberlain of Scotland, and the English Chancellor, Robert Brunel, Bishop of Bath and Wells, were both resident in Berwick. The southern official, evidently an old man, died here on October 25th, the Sabbath previous to the feast of the Apostles Simon and Jude. The great seal, that was in his keeping, was delivered into the wardrobe of the King to Walter de Langton, keeper of the same wardrobe under the seal of William de Hamilton. The duty of the English Chancellor, when journeying with the King, consisted chiefly in preparing and sealing writs and letters, issued by royal authority. Hamilton acted for the deceased bishop till the following Thursday, when he set out towards Wells with the bishop's body. The duty of the Chamberlain consisted in paying royal accounts, and wages to those who were in royal service.

John Baliol, now King of Scotland, found his royal authority of doubtful efficacy in the face of Edward's overlordship. He had no sooner become King

than cases occurred which brought his sovereign power into contempt. A ship of Flanders, freighted by Berwick burgesses, with a cargo of goods from Dieppe, was forced by stress of weather to put into Harwich, where the authorities arrested the vessel and detained it. The burgesses complained to their King, John Baliol, in this case, as well as in a more flagrant abuse. A ship, loaded at Berwick on the part of several burgesses, with thirty-six sacks of wool and other merchandise, as well as £100 in money, was seized off the coast of Norfolk by the crews of five fishing-boats, who, after evil handling the master and sailors, sunk the ship. The King had evidently ordered a general arrest of all Berwick vessels, for the

'Mayor, Reeves and community of Berwick write to the King as ruling, by Divine Providence, the three realms of England, Scotland, and Ireland. They inform him that no tongue can tell their anxieties by reason of the dearth of all kinds of grain in Scotland. Some of their fellow-burgesses had shipped grain from abroad, and while off the English coast and ports the King's bailiffs had arrested their ships and cargoes, to their heavy loss and damage. Their names are William of Orford and others, whom the bearers will relate to the King. Therein goods and vessels were arrested in Yarnemuthe, Erewell, Blakeney, and Newcastle-on-Tyne. These send their fellow-burgess Nicholas Pamperworde as their attorney, specially empowered to lay these matters before the King and pray remedy.'*

In these cases Baliol memorializes Edward thus:

'To his most serene Prince and reverend Lord, by the grace of God, illustrious King of England and Duke of Aquitaine, John, by the same grace, King of Scotland, salute in Him by whom kings reign and all kingdoms exist.' After this inscription, he complains of detention and damage to his vessels, and 'asks and begs your serene Highness to devise some remedy that restitution be made to our burgesses in what may seem to you most opportune.' Besides these, certain other well-known cases occurred. On December 22, 1292, a plea was entered before the Scotch Custodes in Edinburgh, which, though it was only a dispute between two Berwick burgesses, finally assumed national importance. Marjory Moigne, widow of William the goldsmith, sued Master Roger Bartholomew, or Bertlemew, for the recovery of £180, part of the property of said William, and also for 200 marks of dowry which the said William had dowered her with, and which Roger unjustly detained. She sued for her dowry as a principal debt, for it appeared William Aurifaber had died a bankrupt. Roger denied liability of £180, for Margery had taken £60 out of a chest sealed with his seal; and he has paid 80 marks for the board of Margery's four children for five years at the rate of £2 13s. 4d. each per year. He allowed and confessed 100 marks, which he was adjudged to pay. He denied the dowry, but on an appeal to the law of the Four Burghs, the case went against him. Thirteen sacks of wool which had been arrested in Philip Rydale's

* Bain's 'Calendar of Scots Documents,' June 1, 1294.

hands, and which Philip owed to William the goldsmith, were ordered to be delivered to Marjory as part payment of the 200 marks.* Again, Gilbert of Dunbar, at Haddington Fair, had touched Roger with a stick. Roger caused him to be imprisoned. Gilbert, before a Scotch court, complained of wrongous imprisonment, and damage to the extent of £4. The verdict was given in favour of Gilbert, and Roger was fined.† Roger was troublesome and litigious. He appealed in both cases to the English court sitting at Newcastle, which was certainly against the plain reading of the Treaty of Birgham. Baliol interfered, and urged the burgesses' pleas of 'non possumus.' Edward scorned the very idea of not being able to hear appeals from judges of his own appointment, as the Scotch judges then were. The case was proceeded with, and the sentences reversed.

Another case of importance was appealed against. Macduff, son of the Earl of Fife, claimed some lands on a disputed succession. The case came before the Scots Estates, and was decided against the appellant. It was then taken before the English Parliament, and John Baliol was summoned to appear, which command he refused to comply with at first: but, ultimately, he obeyed the summons. When called upon to plead, he said he could give no answer till he had consulted the Estates of Scotland. The case was then deferred, after some arrangement, and, while it was pending, Edward was called away to more difficult and more irksome work. As John Baliol had been summoned before the English King, so Edward was summoned to do homage to Philip of France for his land in that country, and now, in Edward's absence, the Scots bestirred themselves. They entered into negotiations with France for an offensive and defensive treaty against the English King. The Scots coolly agreed to make destructive inroads upon the north frontier when Edward's power was absorbed in French conflict. The French, on the other hand, agreed to assist the Scotch when England was pressing them hard in battle. Berwick, as the principal Scotch borough of the period, appended its signature and seal to this treaty first of all the boroughs of Scotland. The Scotch King began immediately to carry out his part of the bargain, and sent an army to lay waste the northern borders of England. Edward, in no good frame of mind on account of the non-success of his French negotiations, hearing of this inroad of the Scots, hurried back at once to England. He prepared instantly to chastise Scotland and the signatories to this hated treaty, the terms of which he had learnt while in France. With an awful mercilessness was this determination carried out. Some of the Berwick burgesses had appealed to Edward for justice, and he would now let them feel what

* Stevenson's 'Documents,' 1292. † *Ibid.*

his justice meant. Berwick burgesses had dared to sign the treaty with France, and Berwick was a Border town, and lay conveniently in his way. It must therefore first feel the edge of that sword that was to commit such havoc upon Scotland. Edward moved northwards with due deliberation. He summoned his forces of 5,000 horsemen and 30,000 footmen to meet him at Newcastle on March 25, 1296. Previous to this he had ordered Osbert de Spaldington to have in readiness on the east coast of England, from Tyne to Tweed, a fleet of 100 vessels well manned, and ready to co-operate with his land forces. Part of this fleet he ordered to Holy Island to await his arrival before Berwick. In moving northwards he avoided crossing the Tweed in front of an opposing army; but, striking off to the west, he forded the river at Coldstream, nearly opposite the mouth of the Leet. He stayed in the grounds of the abbey for one night, set out eastwards on the 29th of March, and, when passing Ladykirk, was joined by Anthony Beck, the warlike Bishop of Durham, from Norham with a contingent of 1,000 foot and 500 horse. Hutton was reached that night. Next day, the 30th, he arrived in Nunslees with the bulk of his army, when a small part was sent round Halidon Hill, and approached the town by the north road and the level fields. But, before the army comes nearer, let us see what is going on in Berwick itself. The castle is commanded by William Douglas, almost the first of that famous name heard of in history. The town is garrisoned by Fife soldiers, and the chief men of that county; and they are in readiness for battle. The Flandrian merchants in the Red Hall are prepared to resist to the very uttermost. The townspeople are jubilant, and sure of an easy victory. Going to the outskirts as far as danger will allow them, and from an eminence, says an old chronicler,* they utter taunts against Edward and his army. The very words are preserved, in what is supposed to be the oldest quotation of Lowland Scotch now extant, by Rishanger of St. Albans: 'Kyng Edward wanne thou havest Berwic pike thee wanne thou havest geten dike thee.'

An old French chronicle varies it, and gives what is the common form in the quotation:

'What wende the Kyng Edward
For his langge shanks,
For to wynne Berewyke
All our unthankes
Go Pike it him
And when he have it won
Go Dike it him.'

Which means, When you have gained Berwick, King Edward, it will be time enough for you to dig around a fosse and build a wall. Why this had the effect

* Lanercost, 1296.

of rousing Edward's anger does not appear to be easily understood. But that it had a wonderful effect is seen in the 'vehement and scornful' words Robert de Brunne adds when he translates the old French Chronicle of Peter Langtoft:

'Now is Berwick born doun, abaist is that cuntré.
Jon [Baliol] gete thi coroun, thou losis thi dignité.
Now dos Edward dike Berwick brode and long,
As thei bad him pike, and scorned him in ther song:
Pikit him, and dikit him! on scorn said he.
He pikes and dikes in length, as him likes, how best it may be;
And thou has for thi piking, mykille ille lyking, the sothe is to se.
Without any lesyng, alle is thi hething* fallen upon the:
For scatred er thi Scottis and hodred† in ther hottes,‡ neuer thei ne thé§
Right als I rede, thei tombled in Tuede, that woned bi the se.'

Foreshadowing the impending doom of Berwick, the 'Lanercost Chronicle' notes several wonderful phenomena that presaged awful calamities:

'A great ball of fire was seen in a dream by a simple burgess of Haddington, coming from the southwards, precipitating itself over Berwick, and pitilessly consuming all things, then going northwards as far as the Lothians and the arm of the sea, destroying everything in its course, it went at last towards the sky, and returned whence it came.'‖

'There was a vision seen at Berwick before Christmas by some school-children, who were engrossed in their books and were hastening to school at the earliest dawn as is usual in the same town in winter time. They saw Christ beyond the castle on the semblance of a cross all covered with blood from blows, and his face turned towards the habitations of the town.'¶

The same veracious chronicler saw in his house one night a man, all white, with wings, whom he conceived to be an angel. He had a drawn sword in his hand, as if ready to execute judgment upon the poor town. By these and other visions, it was prognosticated that the town of Berwick was doomed. To proceed now to the actual taking of Berwick by Edward I., we have to note that the fleet, under Spaldington, seeing the English army very near the town, was eager to engage in the coming fray. The tide suiting, the sailors hastened up the river, but were met by the whole strength of the garrison and the town; the very women carried branches to fire and burn the ships. The attack by the river was thus driven back. Several of the ships were burned, and the rest, gliding back with the receding tide, escaped. Edward, warned by the burning of his ships, and roused by the stupid taunts of the citizens, proceeded at once to the assault. There seems to have been little resistance. The defences of the town were merely a stockade and a ditch, so low and narrow that Edward leaped over both on his horse Bayard, and entered the town at the head of his forces. His army followed,

* Mockery. † Huddled. ‡ Huts. § Bad luck to them always.
‖ 'Chronicon de Lanercost,' 1296. ¶ *Ibid.*

and slaughtered at will the poor inhabitants. The Flemings determined to hold out in their Hall of Commerce; and it was not till the place was set on fire that their opposition ceased. Tradition says they all perished in the ruins of the building. The slaughter was immense. The citizens were mown down to the extent of eight thousand; and the massacre only ceased when a procession of priests bore the Host to the King's presence, and begged for mercy. Edward, with a sudden and characteristic burst of tears, ordered the slaughter to cease.* Rishanger describes the King as rabid, like a boar infested with the hounds, and issuing the order to spare none; and tells how the citizens fell like the leaves in autumn, until there was not one of the Scots left who could escape alive; and rejoices over their fate as a just judgment for their wickedness. Wyntoun, in his quaint manner, adds words to the same effect:

'The Inglis[men] thare slwe downe
[All] hale the Scottis natyowne,
That wyth in that towne thai fand
Off all condytyowne nane sparand;
Leryd and lawde, nwne and frere,
All wes slayne wyth that powere;
Off allkyn state, off allkyn age,
[Thai] sparyd nothir carl na page:
Bath awld and yhowng, men and wywys
And sowkand barnys thar tynt thare lyvys.
Sevyn thowsand and fyve hundyr ware
Bodyis reknyd, that slayne ware thare;
This dwne wes on the Gud Fryday.
Off elde, na kynd, sparyd thai.
Twa dayis owt as a depe flwde
Throw all the town thare ran rede blude.'†

The Lanercost chronicler adds: 'The town was occupied by the enemy, when very great riches were taken. For a day and a half those of both sexes perished—some by slaughter, some by fire—not less than fifteen thousand; the remainder, even to the little children, being sent into perpetual exile. Yet this most merciful prince showed that humanity to the dead which he had offered to the living. I myself saw a great multitude of men destined for the burial of the bodies of the dead, who were all to receive from the treasury of the King a denarius for a reward, although they began at the eleventh hour to work.'

There is thus a terrible unanimity among the old writers as to the extent of the slaughter. The churches afforded no shelter to those who fled into them. 'After

* Green's 'History of England,' vol. i., p. 361.
† Laing's 'Wyntoun,' vol. ii., p. 332.

being defiled by the blood of the slain, and spoiled of all their ornaments, it was most notorious that the King and his followers made stables of them for his horses.'* Notwithstanding the reputed completeness of the destruction, some of the merchants and inhabitants were left, as we shall see in the sequel.

What was the immediate consequence of this terrible blow? Green the historian says, 'The town was ruined for ever, and the greatest merchant-city of Northern Britain sank from that time into a petty seaport.' Burton puts it thus: 'It was in the community among whom the protection of the Lord Superior was first sought that his vengeance first fell. There was an end of the great city of merchant-princes; and Berwick was henceforth to hold the position of a common market town, and be conspicuous only, after the usual fate of a frontier town, for its share in the calamities of war.'

Edward remained in it for about three weeks after its capture. His first object was to put it, along with the whole district, into a thorough state of defence. On April 2nd, two days after the capture, he appointed Robert de Clifford Warden of the March of Scotland, with a force of 140 horse and 500 footmen. He then determined, for defence of the town, to dig a deep and wide foss around it, from the Tapee Loch (where the engine-sheds, etc., of the North British Railway now are) by the back of the town till its exit on the pier road at the present Malt House. The foss was made eighty feet broad and forty feet deep. For this purpose the King summoned labourers from the county of Northumberland.† The date of the writ (4th April) showed Edward's quick determination to do work when once he saw its necessity. The writ was addressed to the Sheriff, and commanded him to procure foss-workers, masons, carpenters, and all manner of artificers for his work at the foss; and workmen to occupy the places in the town of those slain in the action. The Sheriff was ordered in nowise to omit this duty as he loved his convenience and honour. Edward is said to have engaged in the work himself, to have wheeled a barrow in this service.‡ Perhaps, in modern phraseology, he cut the first sod of this great undertaking. He issued another order from Berwick before he proceeded to chastise the whole kingdom of Scotland. On the 11th of the same month, he commanded all vagrants and criminals to join his army against Scotland, on the ground of a free pardon for such crimes as homicide, robberies, and transgressions of the forest laws; and, thus, we have a neighbour, John Swyn of Lowyke, who killed Roger Baret of Bayremoor, receiving a free pardon when he joined the army for the north. A large number of such a class joined the army on

* Redpath's 'Border History,' 4to. ed., 316, note.

† Stevenson's 'Documents.'

‡ Rishanger, 375.

like conditions. Edward afterwards proceeded north on an expedition in which we do not require to follow him. He returned to Berwick on the 22nd of August, 1296, and made arrangements in a Parliament held there on that date for carrying on the government of submissive Scotland. Warenne, Earl of Surrey, he appointed Guardian of the realm, Walter de Agmondesham, Chancellor, Hugh Cressingham, Treasurer, and Ormesby, Justiciar; and, at Berwick, he formed an Exchequer exactly on the model of the one at Westminster:

'And because the King wishes that the same order, in all things, should obtain as well in the said Exchequer in Berwick, as in that at Westminster, he orders that the barons should carefully examine the schedule enclosed, and those things, necessary for its establishment, will be sent as soon as possible, in order that they may have, in those things, the same order in the said Exchequer at Berwick, as is observed in the aforesaid Exchequer at Westminster.'*

As long as Berwick was a separate and independent town, a kind of conquest of England, yet lying in Scotland beyond the boundaries of the southern kingdom, it pleased the English King and his counsellors to keep in Berwick this Exchequer and its treasurer, and the other officers mentioned, as if it were a little kingdom of itself. Of course, it was the one corner into which the conquest of Scotland was eventually contracted. These officers were nominal in a great measure; and they did not bind themselves to act personally, but only by deputy, whenever it pleased them. This year, they acted the more so by deputy, as a great deal had to be done in settling the affairs of Scotland, and the officers were absent on these weighty affairs; so the King appointed deputies to arrange and settle all the concerns of Berwick.

'Know ye that I have appointed our faithful Henry de Galeys, Stephen Assherry, William de Eye of London, John Sampson, Capin le Flemmenck of York, Gilbert de Neye, and Richard de Beaufort, John Scott, Peter le Draper of Newcastle, for the ordering and disposing, with the aid of Warrenne and Cressingham, the situation and state of our town of Berwick and parts of the same to the usefulness of ourselves and of the inhabitants of the same place, and convenience of the adjacent parts, and for the taxing and fixing the rents of the houses and open places in the town, and for the merchant artificers and other fit persons wishing to inhabit the town, according to the aforesaid taxing and rental at a term as far as it may seem better to expedite our convenience.'†

Hugh de Cressingham, as King's Treasurer of Berwick, began early to use his office with great severity. He was well known to be a greedy man.‡ He demanded custom of some wool sent here from Yarmouth which was already marked with the coket-mark of that place; thirty sacks were so arrested. The Yarmouth merchants complained to the King. In inquiry the Barons of the Exchequer here say that Cressingham was afraid the custom of this port would be demanded, but a

* Stevenson's 'Documents,' August 22, 1296. † *Ibid.*, January 12, 1297.
‡ Redpath's 'Border History,' 1297 A.D.

certificate of indemnity being given, the wool was dearrested and given to its proper owner. To meet the expenses of the garrison £2,000 was at this time sent from London. The transmission of this money was a matter of great interest. Ten knights, sixteen footmen, and ten hackneys occupied twenty-one days in their journey from London and back again, with this burden, at an expense of 1s. per day for every knight, 3d. for every footman, and 6d. for every hackney. In all, £19 19s. was required to convey £2,000 from London to Berwick in the year 1297.

In regard to the fortifications of the town, we learn that considerable sums were spent in making them of some use to protect the inhabitants from invasion:

'1st. It is computed that the making of a Bridge to said Castle and of a stone wall all along the sea under the Snoke, of a wall between the said Castle and the river Tweed, of a door of exit for the said Earl of Warenne and for the Engineers, as is patent in the account of William de Romeyne, Clerk over the said works by sight and testimony of John le Beel, Burgess of aforesaid town, £122 15s. 5½d.

'2nd. In making the foss and gate towards the House of the Blessed Mary Magdalene walled on both sides, as is patent in the account of Francis Syays, Master of that work, £7 12s. 1d.

'3rd. It is computed that the making of a wall towards the Snoke, as it appears in the account of Sir Seerus of Huntingfelde, Master of that work, by sight and testimony of Nicholas de Markham, Burgess of Berwick, will cost 40s. 11d.

'4th. For constructing a wooden Tower under the Castle of Berwick, as is patent in the account of Reginald the Engineer, Master of that work, 28s. 9d.

'5th. For making the exit of the Earls Marshall and Hereford, and of repairing that of the Earl of Warenne, and of the gates of said Castle, as appears by account of Master Robert Beaufrey, Clerk over these works, £45 9s. 11d.

These details do not tell much of the nature of the castle, nor of the fortifications. We have the wall from the castle to the Tweed still standing. The other works are all demolished. The Spades Mire may indicate the ditch towards the House of Mary Magdalene.

At this period of our story, Sir William Wallace suddenly appeared on the horizon. With grave anxiety Edward's officers hastened to put Berwick in order. The castle was anew provisioned; all foreign correspondence was examined with great care. All messengers, according to royal orders, were carefully searched and examined, so that nothing hurtful might be allowed to pass; and, if any messenger with a dangerous letter was found, he was to be kept in strict prison until the King's pleasure was known concerning him; and, if any Lombardian merchant was found, he was to be similarly treated. These orders were proclaimed through all the towns and chief places, that no man might plead ignorance.

In letters to the King from Berwick, in July, 1297, the following interesting particulars are given along with a high eulogium on Treasurer Cressingham:

'DEAR SIR,—Your Treasurer of Scotland having caused a large troop to be assembled, and having led them to Roxburgh to attack your enemies who were in the company of the Bishop of Glasgow and the Steward of Scotland, then came Henry de Percy and Sir Robert de Clifford to Roxburgh and brought with them Sir Alexander de Lindsay and Sir William Douglas, and told us that they received to your peace the enemies who had risen against you on this side the Scottish sea, wherefore we returned to Berwick to await the arrival of my Lord of Warenne. If, then, your enemies show themselves the readier to come to your peace than they hitherto have done, many people think this peace has been well devised.'

'DEAR SIR,—Because Sir William Douglas has not kept the covenants he made with Sir Henry de Percy he is in your Castle of Berwick in my keeping, and he is still very savage and very abusive; but I will keep him in such wise that, if it please God, he shall not get out. The Church of Douglas is vacant, and is well worth 200 marks, as I have heard; and if it please you to give it to your Treasurer of Scotland, I believe you will have bestowed it well, for, by the faith I owe you, he does not grow slack in your service, but takes the greatest pains to make things succeed.'

The following hurried announcement refers to the same period. The letter is again addressed to Edward. The original, in Norman-French, is in the Public Record Office:

'SIR,—Sir William Douglas is in your prison, in your Castle of Berwick, in irons and in safe keeping, God be thanked! and for a good cause, as one who has well deserved it, and I pray you, if it be your pleasure, let him not be liberated for any profit nor influence until you know what the matters amount in regard to him personally. Of your other enemies may God avenge you if He pleases.'

Warenne, the guardian, writes that those on this side the Scottish sea are coming to Berwick to complete the covenants concerning the above peace; and he again alludes to Sir William Douglas, who is in good irons and safe keeping in the Castle of Berwick, because he did not produce his hostages when the others did. This Douglas was the same who commanded the Castle of Berwick when Edward took it in the previous year. He was liberated on parole at that time. He was next found in company with Wallace, and was taken by Percy in Ayrshire, along with a number of Scotch nobles. Percy and Clifford brought him to Berwick, where they came in the summer of that year; and this last letter of Warenne's was written just as he set out from Berwick on his Scotch expedition beyond the sea. In the expedition he had a large host, among whom was found Cressingham. The latter gloried in pursuing the Scots and harassing them in every possible way. Warenne now met Wallace at Stirling Bridge, fought out that battle with a fatal result to the English and to Cressingham, who was there killed and barbarously used by the revenging Scots. Warenne rode off from the field of battle, and never halted till he reached Berwick. He had ridden so fast, so utterly had his courage failed him, that, when he stabled his horse, it immediately fell from exhaustion and expired. Warenne soon after set out for England, and left Berwick un-

defended. The English inhabitants fled out of it; a Scotch force came into possession without any trouble, under a person named Haliburton, who kept it until Wallace himself returned from wasting Hexham in the early winter of 1298. The town alone came into his hands. It was defended by no rampart. There was otherwise no means of defence; the wall was ordered to be built along the edge of the deep foss, but either the want of money, or the niggardliness of Cressingham, retarded the very commencement of this work. The town remained quietly in the hands of the Scots all winter; but the approach of spring threatened likewise to bring an English force to recover the town; so the Scotch garrison fled. When the English came in the summer to its gates, they found it evacuated and ready to receive them. Only the town capitulated and recapitulated; for the castle remained in Edward's hands all this time, well defended by the garrison. From this fact there can be no longer any doubt but that the castle was now built in all the stability it ever possessed. The Norman keep, whose ruins now crown that bold prominence, then stood impregnable. No engine known at that time could harm it. Once and again in its history a mere handful of occupants bade defiance to a mighty host. Of the building, of its different towers and keep, we know little. Somewhat we learn from the Inventories of the period:

'In the first of these, dated August 16th, 1292, there is a "Hall" furnished with one great table. In the "Sheriff's Chamber," three tables and two pair of trestles.

'In the "Larder," three worn out napkins, three old towels, two old pieces of canvas, one stone basin and two tin pitchers, each of one quart.

'In the "Kitchen," one great cauldron, one pot of brass of two gallons, and one possnet of half a gallon, and two andirons.

'In the "Butlery," the third part of a tunnel of Rhenish wine, putrid.

'In the "Wardrobe," five covertures of iron, eight hauberks without hoods, three hauberks of strong iron, two pairs of greaves of iron, one iron cap, two pair of fire pans, five sacks for armour, three bench covers, old and torn, one green carpet with a red border, much worn, two boxes, one coffer, six old bucklers, one *chessboard*, three crooks and four bars of iron for the gates, five baskets full of iron.

'In the "Smith's Forge," four great anvils and one little anvil, three large hammers and three small, five pair of tongs and two pair of bellows, an iron wherewith to forge nails, and one pair of wheels bound with iron, seven cross-bows, with winches, three winches, six cross-bows for two feet and eight for one foot, eight belts, five hundred quarrels and a coffer in which are the crossbows.

'In the "Chapel," one chalice of silver-gilt, one chasuble, one alb, one amite, one stole, one fanon, two towels, three crosses, an image of our Lady, and two little images.

'In the "Bakehouse" and round the court, six leaden cisterns, one great vat, and eight smaller ones, one trough, four pair of "meymmiles," two tubs and two tuns.

'In the "Larder" were found 15 score quarters of beef of the new stores, 6 of the old stores, 19 bacons of the new store, and 5 hams of the old store; and 3 sheep's carcases and 19 maises of herrings of the new store, 35 score and 6 fish, 'Dogdraves,' 4 score dried fish of the old store, and 44 fish of Aberdeen, and 18 salmon of the old store, and 36 lampreys in a salt vat.

'In the "Granary" are found 83½ qrs. wheat, 64½ qrs. peas, 15 qrs. and 1½ boll of barleymalt, and 36 qrs. of salt.

'In a Chamber near the Postern Gate are 872 pieces of iron and 4 heads for pickaxes, eleven iron hammers, one great hammer, six bars of iron for windows. And in the bottom of an engine are found 300 pieces of iron.'

This Inventory closes characteristically: 'Also are found 30 chalders of sea-coal, also is found one live pig,' as if this last was only found after some search.

In another Inventory, taken six years later, the same places are again mentioned, and, besides, a great tower for the engineer and a little chamber beyond the bakehouse. This account closes with enumerating an article one would scarcely expect to find at that time, viz., a green carpet with red border, much worn, and which belonged to Robert de Spaldington. This castle was not only well defended, but well provisioned, according to the King's orders. But the keeping of garrisons in Berwick cost the King much money, which he had difficulty in paying. We learn that when Berwick came again into his hands, in 1298, he was then in debt, for his earls, barons, and soldiers, £28,966. Two gentlemen advanced the money; and the King gave them the customs of so many towns for payment, including those of Berwick. One of the merchants of the latter town was associated with the royal publicans to assure the money-lenders of fairness in this transaction. This merchant was named Guydon Bardus, to whom one half of the Coket Seal was given to make the collection of the customs more secure, as nothing could be exported without the seal being enstamped on the packet. I have said that the provisioning of the castle was abundant. It was more so for Berwick than for other places; for we find that large quantities of provisions were sent from it to other castles by the King's commands. On May 28, 1298, before the battle of Falkirk, and just when the army was in Berwick awaiting Edward's arrival from Flanders, the keeping of the castle was given to Patrick, Earl of Dunbar, who had remained steadfast in his allegiance to the King; and after his appointment we have a minute account of some stores sent to Leith. In the following quantities the King appointed all the things underwritten to be put into a ship at Berwick, and sent thence in the same ship to the Maiden Castle, viz.: 'Of wheat, 60 quarters; malt, or meslin and oats to make malt, 120 quarters; wine, 2 barrels; 20 carcases of oxen; herrings, 10,000; dried fish, 1,000; salt, 10 quarters; cords, great and small, necessary for 2 engines; and of tanned hides, for slings, as many as may be necessary; and a pair of irons to make altar-wafers.' This is evidently a light shipload of goods, intended to relieve Edinburgh Castle in a very secret manner; for curious

J. HERRIOTT, Photographer,] [BERWICK.

THE SCOTSGATE.

directions were given to Sir Simon Fraser, Sir Walter de Huntercombe, who 'shall each on his part spy and watch time and opportunity when these articles can be sent on to the place appointed. They shall, when they think the time has come, acquaint all the garrisons, so that the whole affair may be accomplished according to the plan agreed upon by them when they were together. They shall appoint a leader for this special business.' Stirling Castle was in great need of supplies; and these were to be sent on to that castle with all expedition on the 5th of August, 1298—that is, after the battle of Falkirk had been fought.

On the 5th of October of this year the King returned from Scotland by Jedburgh to Durham, where he remained till Christmas. On the above date he ordered two waggon-load of coals to be sent to Jedburgh from Berwick, along with forty stones of iron and one hundred pieces of steel. Again, to Edinburgh Castle were ordered to be sent, 100 horses, 75 qrs. of barley to make malt, 1,000 dried fish, 10,000 herrings, 100 live oxen, bought, it is said, by Sir Simon Fraser; and the next day to Jedburgh a second order was despatched, viz., 40 oxen, 100 sheep, 880 hard fish, and 600 herrings, 20 qrs. of salt, quantities of iron and coal, 10 hhds. of wine, and 3 pipes of ale, also 10 balistæ, a kind of crossbow, and a chest of quarrels. To Edinburgh in December he sent, along with a large supply of provisions for food and war, 22 yards of striped cloth for John Kingston, Governor of the Castle. Berwick was thus manifestly a place of great trade, and furnished not only all the Scotch castles with goods, but likewise their governors with cloth for their own apparelling. We can fancy John walking the streets of Edinburgh with his Berwick suit of striped cloth, to the amazement of the natives of that comparatively obscure town. But how was Berwick supplied with goods to stand this constant drain? An order of December of this year is extant which shows whence the main provisions came. In the next reign, and onwards, the order was often repeated, but we give it once for all:

'Edward, by the Grace of God, etc., to the Sheriff of York, greeting. Whereas we trust by God's help in the summer next ensuing [1299] to come with our host in great power into Scotland to curb and annihilate the malice and rebellion of the Scots our enemies and rebels, there must be great provision made against our coming into these parts, we command you that you cause to be provided for from the issues of your Balliwick:

1,200 quarters of Wheat
1,500 „ „ Oats
1,000 „ „ Barley
500 Carcases of Oxen;'

and then follow minute directions how to keep the wheat from becoming putrid.

'You shall cause the said wheat to be ground and well sifted, so that no bran remain therein, and the flour thereof you shall cause to be put into good barrels, both strong and clean, so that the said flour may be closely packed therein, and well pressed down; and on each cask let there be put three hoops of hazel, and let some salt be put at the bottom of each cask to prevent the flour from becoming spoiled. And this you shall cause to be done by good people, loyal and prudent, so that the flour may keep two years, if necessary, without spoiling.'

Similar letters were sent to several sheriffdoms in England, until the King had ordered altogether:

5,100 quarters of Wheat
5,500 „ „ Oats
3,500 „ „ Barley
1,000 „ „ Salt of Poitou
500 Oxen
300 Bacons, well cured.

Sir Philip de Vernay was Keeper of the Town, and he, along with a clerk, William de Rue, was to be ever ready to provide Sir John de Kingston at Edinburgh with what he wanted. A ship was at hand in the harbour for this purpose, and if Sir John desired to have what was not to be found in Berwick, then the clerk must communicate at once with the King. This clerk was to have 12d. a day for his work.

All this preparation and provisioning was for the purpose of making a foray upon the Scots from Berwick. Minute directions were given to the Berwick garrison how to conduct such an enterprise:

'Be it remembered,' runs the royal writ, 'that it is appointed by the King and his Council that in regard to the town of Berwick, they should have 60 men-at-arms and 1,000 foot soldiers, and that they should receive their wages in such a manner as the Sheriff of Roxburgh, the Sheriff of Jedburgh, and Sir Simon Fraser awarded. And let them see that they make no foray anywhere without having a reinforcement of troops from the said garrison, every time they shall be so employed, of 50 men-at-arms and 500 footmen. Of these the warden shall at one time be leader, and at another the Constable of the Castle, according as the case may require.'

Thus they laid their plans for an expedition that never set out; the magnates would not go a-foraging at so late a time in the year. Edward came to Berwick in December, and remained over the severest part of the winter, when he learned that the Scots were willing for a two years' truce. This being agreed on, all reason for a foray disappeared.

With the garrison of Berwick there early began a trouble which lasted through all its history. The men were paid so irregularly that they were often at the point of rebellion. Here is the first instance of the kind:

'The writer (September 14, 1301) informs the King that as the £200 ordered before his departure did not reach him till the 28th August a mutiny arose on the 30th among the foot cross-bowmen and archers, joined by some of the men-at-arms of Sir Rauf de Fiez Michiel, who was then

in Gascony, and is their leader and "Mester Abettour" in all riots. Though they swore if any men-at-arms approached the "palys" they would kill his horse and cut off his head, he armed and mounted his people, and rode up the great street which they were blocking to prevent the guard being mounted. When they saw him they let him pass, but molested his men vilely in returning.

'He placed two men-at-arms at each post and consulted Sir Walter de Teye, who said he could not blame the mutineers, for when the earls of England were in the town they had only got three days' pay and were a month in arrear. So the writer and his people remained on guard at the "palis" all night and before sunrise. Sir John de Seytone came with four vallettes to his aid. That morning he caused Sir Walter to proclaim that all the men-at-arms and others should meet them at St. Nicholas Church, and there, in presence of Sir Peres de Manlee, Sir Robert his brother, and Sir Walter, he asked each gentleman by name, knight or esquire, if he would mount guard. All replied they would willingly; and that they had no concern in the mutiny of the foot, which they disavowed.

'Whereon the latter took counsel and agreed to mount guard till Friday thereafter, and if they got no money they would leave the town. That day the £200 arrived, and on Tuesday morning he counted it before the Sheriff of Northumberland, who brought it and paid it then and there to the garrisons of Roxburgh and Jedburgh. On Friday he mustered his garrison and paid them, when Sir Walter commanded him to pay the whole sum to the garrison of Berwick and none other, in terms of his own letter from the King, saying, "We send you £200 for your garrison;" and as the Roxburgh and Jedburgh men were not in Berwick, they should not have a penny of what was sent for him and his men. The writer replied that the King always treated Roxburgh, Jedburgh, and Berwick as one, and showed his letters. Sir Walter replied that the King had done ill in sending him such express letters, he being only a layman, and begs the King to send him nothing unless it distinctly shows what he is to do. The writer has suffered evil and annoyance through want of this."*

In 1304 we have interesting particulars concerning rents in the neighbourhood of the town; the income of the King from his lands at Edrington, Bondington, and Latham was £10. From the rent of his corn-mill at Edrington this year he received £26 13s. 4d. From the ferm and issues of the town of Berwick-upon-Tweed, both customs and fishings, as well as issues of courts, and all other ferms in the town from Easter Day this 32nd year till last day of December, 1304, and small customs to same day, by the hands of John de Ripele and John Verité, clerks, he received by view of four bailiffs of said town £119 6s. 11¾d. Some further particulars of expenses we learn from the following transaction: 42½ sacks or stones of wool and wool-fells and 37 dacres of weak hides, each sack at 6 marks and a dacre at 1 mark, found in the Priory of Pluskardin in the house of Sir John de Spalding, Canon of Elgin, were bought for £195. For carrying John's wool and hides to Aberdeen 112s., and carrying them in another vessel from Aberdeen to Berwick, £6 13s. 4d. Expenses of a valet in charge of said goods for sixty-six days at 4d. per diem, 22s. Hiring a house at Berwick for said goods for nine months, 60s.

In the spring of 1304 Edward's Queen passed through Berwick, and was attended with escort to Dunbar the first night, and then to Dirlton, where the King

* Bain's 'Calendar of Documents,' etc., September 14th, 1301.

met her and escorted her thence. She started from Berwick on Sunday, the morrow of St. Hilary.

We hasten on to complete the notices of Berwick under Edward. In 1302 he appointed Keeper of the Castle, John de Segrave, who thus succeeded the Earl of Dunbar. In connection with Segrave we may mention a custom then in vogue of naming engines of war after famous engineers. Here is a memorandum of engines delivered to the stores of the castle, thus:

'The timbers of two engines made at Brechin. Also one engine called "Segrave," another called "Vernay," and a third "Robinet." Sixteen beams of an engine called "Forster." Also eighteen beams of an engine which came from Aberdeen, and two great cords and two smaller cords for stretching the engines, two hawsers, five little cords and one old cord; 784 balls of lead and 600 round stones.'

This notice shows us pretty distinctly the kind of weapons used at that time. This John de Segrave took command of a foray into Scotland in 1303, and was severely wounded in the battle of Roslin, which accident brought his keeping of Berwick to an abrupt end. In the same summer Edward ordered a rendezvous of his army at Berwick. In the end of May he entered Scotland, and, attended by a fleet, moved northwards to further conquests: after staying a year in that country, he left it in August, 1304, and never returned to it again. The remainder of this year passed in quietness, and then 1305 followed, when Wallace was betrayed, delivered to King Edward's tender mercies, tried as a traitor, and executed. After his execution he was quartered. His left arm (only with this have we to do) was sent to Berwick, and ordered to be suspended there. The place of suspension is unrecorded. Thus Edward wreaked his vengeance on the Scotch patriot. Next year was one of misfortune to Scotch nobles. Sir Aymer de Valence, leader of Edward's army in Scotland, surprised several of them in the Castle of Kildrummy, took prisoner Bruce's brother Nigel and other friends, sent them to Berwick and England, where they were tried and executed. Some ladies of the Bruce party had escaped from Kildrummy towards the north of Scotland, where they were caught and delivered up to the English. One of them was the unfortunate Countess of Buchan, who had crowned Bruce at Scone. For her a special punishment was prepared for having performed so rash an act. She was sent to Berwick, and ordered to be put into a cage in one of the turrets of the castle, and carefully kept there during the King's pleasure. The making of this cage, or 'kage,' as it is in the original, is very carefully described in Rymer's 'Fœdera' in Norman French, a translation of which follows:

'It is ordered and commanded by letters of privy seal to the chamberlain or his lieutenant at Berwick that on one of the towers or turrets within this castle, and where may seem the most con-

venient spot, he cause a "Kage" to be made of strong lattice-work, cross-barred with wood and well strengthened with iron, into which he must put the Countess of Buchan. In this she is to be surely guarded so that she may in nowise escape. One or two English women of the town of Berwick, on whom there rests no manner of suspicion, are to be set over the Countess as servants. She is to be so guarded that no Scotch person of either sex may speak to her. Those in charge are to answer for her safety with their own bodies.'

There has been a considerable amount of discussion among historians as to the fact whether the cage was so suspended that the Countess might be seen by every person passing along the public highway. It may be safely asserted that such was *not* the case; our *climate* would not allow of such exposure. Continuous suspension in the open air was impossible, and transference of such a cage was equally impossible. There is nothing in the order itself to give the slightest colour to this assertion. It was sufficient for the old King's revenge to know that she was kept like a wild beast, and gazed upon by those who frequented the castle. She spent four years thus caged up. In 1310 she was given up to the charge of the Brothers of Mount Carmel, in Berwick, with whom she remained till 1313, when she was delivered to the keeping of Henry de Beaumont, after which we hear no more of her.

This was the last of the cruelties Edward was able to inflict upon the Scottish nation—the closing incident of his long connection with Berwick. Next year, at Burgh-upon-Sands, while breathing out threatenings against Scotland, the 'Malleus Scottorum' fell into a mortal sickness and died. It is only in times of war and excitement that a town is caught up into the current of history, and its daily life exposed to the annalist. We owe much of our information about our old town thus early to the fact of its being of so much importance to Edward as a base of operations against Scotland.

CHAPTER III.

THE death of Edward I. must have been a great relief to those who had the independence of Scotland at heart, and especially to Bruce, the leader of this party. His successor, Edward II., was a weak and frivolous prince, a despicable leader of men, from whom Bruce said it was easier to gain a kingdom than a foot of land from his father. Berwick remained for a time in the hands of the English. In 1308 the new King ordered twenty ships to be ready on the coast between Berwick and Yarmouth in order to defend the coast, and especially the town of Berwick, from the incursions of the Scots. From various counties in England, next year, he ordered provisions to be sent to Berwick—from Huntingdon, Kent, Norfolk, Suffolk, and London. From the latter place, besides the usual food supplies, he sent 20 barrels of honey. Among the warlike stores were 200 feathered arrows of copper for 'Balistæ de Turno.' Men were ordered to meet at Berwick in 1309 to make an expedition into Scotland—3,400 Welsh and 2,000 English. In the autumn of the year the King led his army into Scotland, but fruitlessly, and returned to Berwick with his Queen, where he passed the winter. Next spring, after ordering another supply of provisions, among which were 2,000 hhds. of wine, he again invaded Scotland; the Scots allowed him to follow them over desert-land, and after marching into the interior, he met with no better success, and ended this expedition in a similarly unsatisfactory manner. He continued until the year 1313 to make expeditions into Scotland on like plans, and with like results; but with them this history is not concerned. We see that during these years a great trade flowed through Berwick, in taking in supplies and transhipping them to other castles.

In 1312 Bruce, returning from one of his destructive English raids, made an attempt to gain Berwick. The 'Lanercost Chronicle' gives us this account of the

fray: 'In the night, coming unexpectedly to the castle, he placed ladders against the wall and began to ascend. Unless the loud barking of a dog had made known the arrival of the Scots, he would quickly have taken the castle as well as the town. The ladders, curiously made for the purpose of scaling, were left here, and our men have hung them over the pillory as a public show. So this dog saved Berwick as formerly the cackling of the geese saved Rome.'

In 1313, Ralph Fitzwilliam succeeded as Keeper of the Town, and during his year of office there must have been as brilliant a display of arms in Berwick as ever happened in its lengthened history. During the period 1311-1313, Bruce had been rapidly gaining ground in Scotland. The castles were fast falling under his power. Perth had been taken by scalade, as Berwick had been attempted in the previous year; Roxburgh succumbed to the same plan of attack; Stirling alone remained in Edward's hands, and Bruce had begun its siege. This roused the indolent King to action. The English nation answered to the summons for men and provisions with unusual alacrity and numbers. Enormous quantities of provisions were sent on, for the King's previous experiences had taught him not to trust to foraging by the way; and not only provisions, but much that added to the luxury and splendour of the English, and which afforded a rich spoil to the victors. The baggage-waggons, if extended in line, would have measured sixty leagues.* The army consisted of 60,000 foot and 40,000 horse; 3,000 of the latter are said to have been horsemen in complete armour. This large force came to Berwick as its rendezvous. The King met the army here. It lodged in the town and in tents outside the town. As Barbour says:

'To Berwik ar (thai) cummyn ilkane;
And sum tharin has innys tane;
And sum logyt with out the townys,
In tentis and in pailyownys.'

This great army was divided into ten bodies of 10,000 men each, under leaders of renown, and in this way, on a brilliant morning in June, 1314, it marched out of Berwick, covering a great tract of country, which shone with glittering arms and ensigns. Barbour says:

'Quhen the King apon this kyn wyss
Had ordanyt, as ik her diuiss,
His bataillis and his stering,
He raiss arly in a mornyng,

* Redpath's 'Border History,' p. 168. This can scarcely be fact. The Scotch Rolls say that the English counties were to furnish the King at Berwick with 126 carectus, each drawn by four horses, and 110 carras, drawn by eight oxen. If these were all, the line would not extend over three miles.

And fra Berwik he tuk the way.
Bath hillis and walis helyt (shone) thai
As the bataillis that war braid,
Departyt our the feldis raid.
The sone wes brycht and schynand cler
And armouris that burnyst wer,
Swa blomyt with the sonnys beme,
That all the land was in a leme (flame).
Baneris rycht fayrly flawmand,
And penselys to the wynd wawand.'

A great day it must have been that saw this great host file through the streets of Berwick. Nothing could equal the gorgeousness of the array. Seldom have numbers such as these been exceeded in fighting against the Scots. But numbers alone give not success. The battle of Bannockburn does not belong to our story. This host, vast and splendid as it was, was scattered in headlong rout by Bruce's consummate skill, and thousands were slain on field of battle or in wild retreat. Edward rode off the field, got safely to Dunbar, and thence shipped to Berwick almost alone, from which place so shortly before he had led one of the mightiest armies which an English King had ever gathered together against unconquerable Scotland. On returning home, 28th September, he appointed Adomarus de Valentia to be captain of all the country north of the Trent as far as Roxburgh and Berwick, to defend it against the Scots. Even while the King was thus engaged in preparing to defend his country, Lord James Douglas made an incursion as far as Durham, and plundered as he went. Edward was very anxious to keep the burgesses in his favour. He issued an order that all facilities should be given them to trade where they wished, save with Scots. Again those in command of the garrison had forced the inhabitants out of their houses, and had taken up the accommodation themselves, so that the inhabitants were obliged to live in tents outside. On this being mentioned to the King, he ordered at once that remedy be given, and the houses returned to the burgesses. His care over Berwick was very great. A ship of William Tolle, merchant at Grimsby, was sent there with provisions; for which the King gave him a safe-conduct: 'To all our Ballives and faithful men we commend you that you allow no delay nor impediment whatever to this ship.' Next month he appointed Simon Warde Keeper of the Town and successor to Ralph Fitzwilliam, and promoted him to be Keeper of the Castle as well. This new officer exerted himself loyally during the coming winter and spring, and received special thanks from the King, and was requested to remain longer in office. But the keeping of Berwick in such warlike times was no sinecure. Warde retired, and on the 17th April, 1315, the King appointed Maurice de Berkeley

Keeper of Town and Castle. The Monk of Malmesbury at this period says of Berwick that it is—

'A strong and well-walled town, situated on the sea, in the beginning of Scotland, convenient for merchants in time of peace, which without treachery can never be subject to Scotland. For the English ships sail round all the land, and excel in the art of sailing and in naval engagements. Whence, though all Scotland should attack Berwick, it has nothing to fear on the part of the sea!' *

During the following months ships from various ports were sent hither with provisions. The *Rose* from London was sent with wheat, etc., under the guidance of Martin Atheloff; two ships, *Mariole* and *La Godyere*, of Berwick, came from William de Getour, of Hull, to Berwick, on the same errand. A safe-conduct was granted to Thomas de Chesewyk, servant to Walter de Gosewyk, merchant, to guide a ship to Berwick with provisions to our faithful ones in the fortifications there. So that under the supervision of Hugh de Hogton a vast cargo of wheat, barley, oats and beans was stored up there by the end of the summer. About 4,000 qrs. of wheat, 3,000 qrs. of oats, 700 of barley, and 1,400 of beans, were in safe keeping for the southern armies. While all this corn was being stored up, the Scots once more approached the neighbourhood, and, assisted by vessels on the sea side of the town, attempted to recover Berwick. The old Lanercost Chronicler describes this attempt:

'Within the octaves of the Epiphany, 15th January, 1316, the King of Scotland, with a great army, came secretly to Berwick, and under brilliant moonlight made an attack by land and by sea in skiffs, hoping to have entered the town on the river side between the Bridge House and the Castle, where the walls were not yet built. But by means of watchmen and others through the noise of those attacking they were repulsed, and a certain Scotch soldier, Sir J. de Landels, was killed, and Sir James Douglas with difficulty escaped in a small skiff.'

After this repulse no further attack was made upon the town for more than two years. During this interval, Sir James continued in charge of the Marches of Scotland. At the same time the garrison of Berwick seems principally to have been composed of Gascons, whose captain, Edmond de Cailou, made a successful expedition into the Merse and lower part of Teviotdale, and was returning with his booty, when Sir James got news of the raid. The latter rode at once in pursuit and overtook the Gascon, robbed him of his spoil, and left him dead on the field. When Sir Robert Neville heard what Douglas had done, he boasted that he should like to test his valour. Sir James rode right up to within easy reach of Berwick, met Neville, and singling him out from his company, slew him with his own hand. Such was a beginning of these petty raids, these destructive inroads into the Borderlands, disgraceful alike to both nations. In May, 1316, Berkeley was succeeded by John de Wysham as keeper of both town and castle. In the autumn, the

* Redpath's 'Border History,' p. 173, note.

burgesses were congratulated by the King, and asked to continue faithful to him. When 1317 A.D. approached, extreme anxiety was felt by the English Council for the safety of this outpost. Provisions were again sent on to the town. 5,000 qrs. of different kinds of grain, besides bacon and fish, made up an order of royal munificence. The guardians were increased. Richard Horseleye was appointed Keeper of the Castle and John de Wysham was now to confine his attentions to the town. All precautions were certainly needed. In the autumn, when these appointments were completed, and when Robert Bruce had returned from his Irish expedition, Berwick began to be the great point of interest to both nations. Bruce came into the neighbourhood early in 1318, and pitched his camp in the Oldcambus woods. When here, messages arrived from the Pope to the intent that peace should be ordained between the two nations. A number of English Churchmen carried the Papal Bulls northward, and desired audience of Bruce. But Bruce rejected all approaches because they would not address him by his kingly title. To try to overcome this reluctance they engaged Adam Newton, guardian of the Minorite Friars of Berwick, to carry the Papal papers to the Scottish King. Adam set out on his errand, and came up to the camp at the Oldcambus woods, where Bruce was busy making warlike engines for attacking Berwick. Newton had left all the papers in Berwick until he had received a safe-conduct from the King. This was granted him by Walter the Steward. The messenger returned there for the Bulls, brought them to where the army was encamped, but Bruce still refused to look at them until his proper title was given him. Newton was forced to return without a safe-conduct, was overtaken on the road to Berwick, robbed of his papers and Bulls, stripped of his clothes, and, in this plight, sent on to the town.

Bruce was rapidly maturing his plans for his vast undertaking, but these were found in the sequel not to be needed. Barbour says in regard to this:

'Fra the Red Swyre to Orknay
Wes nocht of Scotland fra his fay
Owtakyn Berwik it alane
That tym thairin wonnyt ane,
That Capitane wes of the toun.
All Scottismen in suspicioun
He had, and tretyt them rycht ill;
He had ay to thaim hewy will,
And held thaim fast at wndre ay:
Quhill that it fell apon a day
That a burges, Syme of Spalding,
Thoucht that it wes rycht angry thing
Swagate ay to rebutyt be.' *

* Book x., line 711.

It seems from these words of Barbour that Spalding was annoyed at the Governor's ill-will to the Scotch in the town, and covenanted with Bruce through Marshal Keith to deliver up the town to him if he drew to it during night, and at the Cowgate when it was his turn to watch. Randolph and Douglas drew their army to 'Duns Park,' left their horses there, and went quietly towards the town, and, at Spalding's invitation, scaled the walls at the 'Kow,' and lay in hiding till break of day, when they immediately spread themselves through the town to slay or take prisoner each his man. The Scots broke off into plundering parties, and through this behaviour nearly lost the day. But by hard fighting on the part of Douglas and Randolph the town soon submitted.

'Sum gat the castell, bot nocht all;
And sum ar slydyn our the wall;
And sum war in till handis tane;
And sum war in till bargayne slayne.'

Those in the castle issued out in great numbers, and fought bitterly, but the besiegers, strengthened by the newly created knight, Sir William Keith,

'That bar him sa rycht weill that day,
And put him till sua hard assay,
And sic dyntis about him dang;
That, quhar he saw the thikkest thrang,
He pressit with sa mekill mycht,'

soon drove back the castellans, who, after a siege of six days, succumbed to the Scots, so that town and castle passed into their hands once more. Soon after, says Barbour, the King (Bruce) came 'ridand with his gadering to Berwick.' Contrary to his custom, he determined to save Berwick as a fortress, and 'to stuff weill the castell and the toun withall with men, and with wictaill and alkyn other apparaill that mycht awaile.'* He appointed Walter the Steward of Scotland, one of his youngest and bravest knights, to keep and hold Berwick against the English. Whether Spalding's treason was caused as Barbour relates, or by bribery, as the English historians tell the tale, it was thoroughly effectual, to the great annoyance of the English King. It is said that great riches again fell to the conquerors.* The English had possessed the town for upwards of twenty years, and trade had naturally flowed to it through its old channels. Edward II. did all in his power to prevent the Scots from obtaining more spoil than he could help We find from the 'Fœdera' that he issued orders to the mayor and bailiffs of Hull 'to arrest all wheat or victuals, or any other goods belonging to the burgesses and others of the community of said town, until they receive further commands from him; for he

* Burton's 'History of Scotland,' vol. ii., p. 278.

finds, he says, that the Scots, his 'enemies and rebels, have entered into the town through the defect of the mayor, bailiffs, and community of our said town, to our grave injury.' Edward here hinted at cowardice or treason on the part of the authorities and chief men of Berwick. So he would punish them for their remissness by arresting all their goods whenever found in his territory.*

The taking of Berwick was at this time a grievous blow to Edward, but he determined to undo the mischief as quickly as possible. To enable him to accomplish his design, men and money were demanded. Money was obtained from the heads of abbeys, monasteries, and the like. St. Mary Magdalene's Hospital at Berwick contributed its quota on this occasion. Men were obtained from Wales and from England; all between twenty and sixty years of age were levied in the northern counties of England to march against the Scots. Victuals were to be sent on, and the King promised not to take them against the will of the merchants. Barges from Newcastle were to be repaired to proceed against the Scots for the recovery of Berwick, and William de Getour was appointed leader of the fleet. Barbour again comes to our rescue at this period, and is wonderfully clear and definite in his descriptions:

'Quhen to the King of Ingland
Was tauld how that, with stalwart hand
Berwik was tayne, and stuffyt syn,
With men, and wictaill of armyn,
He wes anoyit gretumly.'

The King here collected all his forces in a field, so that tents speedily were seen so numerous,

'That thai a toune all sone maid thar
Mar than bath toun and castell war.'

At the same time that the town was thus surrounded by land, on the sea side

'The schippis come in sic plenté,
With wittaill, armyng, and with men,
That all the havyn wes stoppyt then.'

The guardian of the town was very popular with his soldiers, and on perceiving all the preparations of the enemy, he excited his men to most energetic action. Day and night they were actively on watch for the attack to begin; but Edward delayed immediate action against the town in order to intrench his camp in the north, to defend it against any attack of Bruce's army, which lay in the neighbourhood. For six days he continued this labour, so that, although coming here on the 1st September, he did not really begin the siege till the morning of the

* 'Fœdera' (Rymer), vol. ii., part i., p. 360.

7th. The 'Inglis ost' then displayed their banners, and each lord with his men gathered to the spot appointed him to assail, with 'leddris, scaffaldis, pikkys, howis, and with stafslyng.' Then, at the sound of the trumpet, they rushed to the walls, 'with leddris that thai haid.' But the defenders were on their guard. They made so great defence, 'thai that war abowyne apon the wall, that oft leddris and men with all, thai gert fall flatlingis to the ground.' The walls were low at this period, and this added difficulties to the defence; so low were they, 'that a man with a sper mycht stryk ane othyr wp in the face.' The Scots leader was actively riding from place to place in the town wherever the attack was likely to succeed, and then by force drove the English back, or, as Barbour puts it:

> 'That quhar men pressit mast, he maid
> Succour till his that myster haid.'

While all this was being carried on upon the walls, south, west, and north, a large ship began to move inward with the tide, and came to the Bridge House, fully armed, with a boat half-mast high, filled with soldiers. From this height they had a kind of bridge which they could let fall upon the walls as soon as they approached within reach. Men would thus pass in at once to the town. But so fierce was the defence that the ship was never allowed near enough to permit their plan to succeed. The tide ebbed, the ship grounded, when a crowd rushed out at the gate of the bridge and set fire to the ship, which was speedily and entirely consumed. Some of those in the vessel were slain, others escaped by flight, and out of her they took an engineer whom they afterwards compelled to assist in defending the town by threatening his life if he refused. Those who set fire to the ship had a narrow run for life; a great company of besiegers, on seeing the ship burning, hastened to it at full speed, and came up to the Scots just as they got within the 'yat and barryt it rycht fast.' This severe fighting continued the whole day, till all were weary. The retreat was at last sounded, when the English retired to their tents and the Scots to their 'innys,' after setting good watch and ward. While they are resting we may notice that during the siege, and in order to draw aside attention, Douglas and Randolph passed into England to harry and burn. They got as far as Yorkshire, where they fought the battle of Mitton (the chapter of Mitton it is called, from the number of monks slain), the news of which reaching Edward, eventually caused him to raise the siege. The English meanwhile prepared for a general attack all along the line. Fresh means were tried. They made a huge piece of mechanism in shape like an ordinary haystack, and called a 'Sow.' This was filled with men, and brought close to the walls to enable those within and under cover to undermine them. But John Crab, the

Flemish engineer, now came forward with his subtlety, and framed a crane for throwing stones and trees from a great height over the wall. A crane, too,

> 'Rynnand on quheillis that thai mycht bring
> It quhar that nede war of helping.'

They likewise made bundles of trees combustible with tar and lint and brimstone, binding them firmly with iron, to set on fire what was made for attack. The intention is evident from these lines:

> 'Gyff the sow come to the wall
> To lat it byrnnand on hyr fall;
> And with stark cheyneis hald it thar
> Quhill all war brynt up that thar war.'

All due preparations were made on both sides, and after a rest of ten days, a new attack was planned and executed.

The morning of the 17th September began, as the 7th, by a general assault all along the landward side. The walls were again attempted with a like result; the Warden, active as before, managed to repulse the English at every point. But the main interest of the second day's siege centred on the new machine, the Sow. For—

> 'Quheill it wes ner none of the day
> Than thai with out on gret aray
> Pressyt thair sowe towart the wall.'

Then the Scots forced the captive engineer to take the defence of the wall, and persuaded that he could only thus save his life, he proceeded to demolish this engine. With Crab's crane he raised a stone and threw it, but it went far beyond the machine. Those within 'hyr' set up a shout of triumph. Another stone was thrown, this time falling short of the mark. A third was successful. The stone, lifted high, descended right over the 'Sow,' and dashed the roof to pieces, when out rushed the men. It is now the Berwickians' turn to shout, and they cried out, 'that thar sow was feryt thar.' Up the engineer took a bundle of combustible matter, swung it over the wall, and 'brynt the sow till brundis bar.' The ships pressed into the harbour, in numbers, with boats half-mast high; but this engineer cast a stone at the first, slew some of the men and hurt others, and so frightened the remainder of the fleet that the attack by sea ceased. The ships withdrew and left the besiegers at liberty to repulse the repeated landward assaults. These were carried on with a kind of desperation that seemed at one time in the afternoon to be about to command success. The besiegers had burnt the drawbridge beyond Marygate, and were hastening on to burn the gate as well. When Keith discovered this, he threw open the gate, called the castellans to his

help, dashed away the burning materials from behind the gate, made a sudden and fierce attack upon the besieging host, and, after a severe struggle, drove them back. The great siege was over; the last attempt to take Berwick ended in disastrous failure, 'Quhill the nycht gert thaim on bath (sides) half leve the fycht.'

Edward withdrew his host partly because of the mischief the Scots were working in England, partly because Lancaster, his uncle, who was in the camp, had a secret leaning towards the Scots, and was determined to withdraw his men, whatever Edward might resolve upon doing. Berwick now remained in Scots hands for fourteen years without any other attempt upon it, and it deserved to do so; for hear Barbour:

'And off a thing that thar befell,
Ik haff ferly, that I sall tell;
That is, that, in till all that day,
Quhen all thair mast assailyeit thai,
And the schot thikkest wes with all,
Women with child, and childer small,
In armfullis gaderyt wp, and bar
Till thaim that on the wallis war
Arowys and stanys, nane slane war,
Na yeit woundyt; and that wes mar
The myrakill of God Almychty:
And to noucht ellys it set can I.'

So says the superstition of a bygone age. The monkish chroniclers were always ready to hail these incidents as miracles.

After the siege was over, Bruce came to Berwick and learned who had been its most powerful defenders. Tytler the historian says, 'Bruce could not fail to be particularly gratified by these successes. Berwick, not only the richest commercial town in England, but of extreme importance as a key to that country, remained in his hands after a siege by an overwhelming army led by the King of England in person; and the young warrior who had so bravely repulsed the enemy was the Steward of Scotland, the husband of his only daughter, on whom the hopes and wishes of the nation mainly rested.' When Bruce was now at Berwick, for the better defence of the town he ordered the wall to be built ten feet high all round. Whether this order was to make the Edwardian wall ten feet high, or build ten feet on the top, is uncertain. Remnants of this wall still exist on a line with the Bell Tower. This defeat of the English at Berwick and at the chapter at Mitton led them to sue for a truce, which was agreed upon for six months, and then for two years; conservators were appointed on each side of the Borders to keep this truce, and compel the Borderers to observe its terms. This was the first appointment in

history of such conservators. These became in time the Wardens of the Marches, with whom we shall yet become more familiar. Berwick drops out of history for a few years. It goes on in its quiet way developing its business capabilities; its merchants are fast accumulating riches; the town is once more assuming its old and proud position of being the most commercial town of the time. Bruce was frequently here during these years, as many old records testify. Transactions of various kinds were dated from Berwick. In a meeting of the council there, a royal grant was made to Aberdeen on 10th December, 1319. It met again at Berwick on 7th June, 1323; and in November, 1324, a grant was made to Robert de Keth of all the lands in Buchan. This meeting is said to have been in presence of all the magnates of Scotland.* From 1327 onwards to 1333 we learn somewhat of Berwick from the Chamberlain Rolls that are extant. The Governor of the Town during that period was Alex de Seton, who was displaced, as we shall see, by Sir William Keith, in the critical year 1333. Michael de Angus was Governor of the Castle in the first-mentioned year. He was succeeded by Robert de Lawedre, who was again displaced by the Earl of Moray, and then the Earl of Dunbar succeeded to the important post just before the conquest of the town by the English. Lauder was not only Governor of the Castle, but Warden of the March and Sheriff of the County of Berwick. He received 100 marks for his fee. The trade, I have said, was very considerable. In 1327, £529 7s. 6½d. was paid for custom on 1,278 sacks and 17 stone of wool, 10,762 sheepskins, 8 lasts, and 2 hides, all exported in 25 great and little ships. In 1330 the custom on wools, etc., paid was £549, and next year it was £570; thus it shows an increase every year as long as peace prevailed. The custom of Edinburgh at the same period was only about £400; that of Aberdeen, £484; Dundee, £85; and Perth, £88.

But we pass on to the time when a new and important treaty was agreed upon and signed between England and Scotland. Edward II. died in 1327, and was succeeded by his son, a minor, who was ruled for a few years by Isabella, his mother, and Mortimer; through them young Edward agreed to the Treaty of Northampton, containing as one part of its stipulations that England renounced all claim to the homage of Scotland, or right of sovereignty over it (for this claim, it is said, has led already to too much bloodshed between two countries which should have been at peace), and that Bruce was to pay to Edward £20,000 for this renunciation and for damages done by his subjects to England. This money was to be paid in three instalments at Tweedmouth. Another article of the treaty determined a marriage between David Bruce and Joan, the young sister of the English King. In order

* These notices are from the first volume of the 'Scots Acts of Parliament.'

to effect this part of the stipulation, the young lady was to come to Berwick on the 15th July, 1328, and to be delivered there to the King of Scotland, or to anyone commissioned there to receive her.* This treaty was completed and ratified by an English Parliament. The dowry of £2,000 was settled upon Joan, and at the appointed time the Bishop of Lincoln, Chancellor of England, and a splendid retinue, accompanied the Queen and the Princess to Berwick, where, Bruce himself being sick, the cavalcade was received by the Earl of Moray and Lord Douglas. This marriage was celebrated here with great magnificence; the sheen of its splendour still dazzles us. It took place on the Sunday next after the feast of the Holy Mary Magdalene.† The fact of the gorgeousness of the display rests upon the sum of money spent on the occasion, and from the items that formed the feast and its accompaniments. It was not enough to take what was attainable in our own country. Peter Machenar was sent with a vessel to Flanders to purchase various commodities for the occasion. These consisted of many kinds of cloth and furs for the soldiers and servants, spices of different kinds, such as nutmegs, mace, canella bark, galangal, crocus, cinnamon, ginger, etc., etc.; confections to a large amount, 154 lbs. of one kind and 41 lbs. of another; over 50 lbs. of wax for candles, 20 hhds. of wine and 1 of vinegar, 2 pipes of olive-oil, 1 pipe of honey, 2 barrels of mustard, 7 barrels of eels containing 2,200. Pots and pans of various descriptions Peter was commissioned to bring. He was allowed, beyond the freight of the vessel, two shillings for every pound's worth of goods as commission for the purchase. The total amount of cargo and commission was £941 0s. 6d. From the number of hides and pelts afterwards sold we gather that 20 oxen and 400 sheep were killed for the feast. 67 chalders 3 firlots of wheat, 47 chalders of malt and barley, and 24 chalders of oats were likewise used. It is but fair to add that all this material was not consumed at the marriage festivities. Numerous presents were given away. Ten oxen were given to John de London, Michael de Angus, and John, son of Walter. To the Brothers Minors of Berwick half a chalder of wheat was gifted. The sale of the marts remaining and of their hides only amounted to 41s. 4d., and not more, because the remainder, as well of marts as of muttons, was thrown to the dogs. Other items are interesting. Symonde Salton stayed to settle up matters in Berwick after the feast, and received 65s. 3½d. for his trouble; the minstrels received £66 15s. 4d., and the cooks' wages amounted to £25 6s. 8d. These are very large sums, considering the value of money in these distant times. £25 would then have purchased 75 oxen, or 160 sheep, or 370 salmon. Peter de Peblis, the Chamberlain, paid £20 to the Sheriff for repairs

* Redpath's 'Border History,' p. 199. † 'Chronicon de Lanercost,' 1328.

of the walls of the town, and £22 10s. was paid to the mason for the same purpose. John Crab, the famous engineer, for his watching of Berwick, received £180. Four watchmen in Berwick Castle, at 4d. per day, for the year received £18 6s. The janitorship was worth £100 by the year; and the auditor of accounts was paid £45.

Bruce, the King, was sick at the time of the marriage of his son David. This sickness turned out to be the forerunner of the end. He died at Cardross in 1329 of leprosy, a disease to which he had been subject for some time. Shortly after Bruce's death, the relations between the two countries speedily underwent a decided change. On Edward's assumption of regal power, at the early age of eighteen, an able king once more sat on the English throne; and a minor of eight or nine years of age was left to rule the turbulent north. The southern ruler gained a further decided advantage by the death, soon after this, of two of the ablest of the nobles who had been left the guardians or regents of Scotland—Robert Randolph, Earl of Moray, and the good Lord James of Douglas.

CHAPTER IV.

THE ascent of Edward III. to the throne was the harbinger of a long dark night to Berwick. The town had survived the terrible slaughter of 1296 and the grievous wars of the succeeding years. It had resisted manfully the storming of Edward II., and was again gradually gathering its energies and renewing its former greatness. But now dismay and sorrow come to be written on every page of its history. A decaying town, a lessening trade, enlivened at distant intervals with signs of fitful energy, are now what lie before us as chroniclers. When Bruce's death had fairly cleared the way for ambitious projects towards Scotland, a few of the English nobles seemed determined to pick a quarrel with the Scots; and they were encouraged in some measure by the fact that the Northampton Treaty was not popular in England; for it had been concluded when Isabella and Mortimer's influence was in the ascendant. Lords Beaumont and Wake were particularly active in this strife. Having lands originally in Scotland, and having forfeited them by their anti-Scottish action, they now sued for their restoration; and, being denied them on the part of the Scotch, they now espoused the cause of Edward Baliol, forced an expedition into the heart of Scotland, and fought the disastrous battle of Dupplin. Thus, by the slaughter of many of the leading nobles of Scotland, the power of resistance to southern encroachments was very considerably weakened. Edward found it impossible to keep clear of the rising tide, and, after seeming hesitation, he threw himself into the flow of the stream. Berwick, as usual, must be the first point of attack. This outpost must be recovered; the King determined to reduce that town which his father had lost and which he failed to recover. He made great preparations to effect this purpose. Two huge engines for throwing stones were made with much labour and

expense at Cawood in Yorkshire. Stones were quarried in the same district, rounded, packed in barrels, and sent on with these engines to Hull, and thence by sea to this port.* Warlike provisions of all kinds were hurried up from Newcastle, which town at that time he made his headquarters. Beans and peas, and shiploads of hay, as well as thousands of horse-shoes and nails, were sent on, and committed to the care of his servants near Berwick. He summoned his army to assemble in great numbers. The Scots were not altogether unprepared, although some historians hint that the Earl of March, who commanded the castle at this time, had a strong leaning towards Edward and the English. The wall, built by Edward II., and strengthened so much by Bruce, was almost impregnable.

About the 4th of April the siege commenced, although the King himself did not arrive on the scene of operations till the 16th of May. He then pitched his tent in Tweedmouth, on which he has left an enduring mark; for we have Parliament Street in Tweedmouth to this day. Here he lay for over two months, closely besieging or blockading Berwick. Before he arrived, his army had attempted to take the town by assault. Tytler adds that they filled up the ditch with hurdles, with the determination to traverse them and scale the walls on the inside margin of the moat. This plan entirely failed, as well as an attack by the river. The latter fared as badly as in 1319. The ships were burned or driven hopelessly back to sea:

> 'That toun straitly assegede bc
> Bathe be land and be the se,
> And fast assaylyd it a day:
> Bot thai were dwngyn welle away.'†

The King on arrival determined on a strict blockade. His large army was sufficient to surround the town, and to hem in the garrison and the civilians, so that no provision of men or victuals could enter. This strict blockade led to terms of capitulation being offered by the King and accepted by the besieged. The terms of this convention were that, unless the town was supplied with men and provisions within a certain time, it would capitulate on condition of life and limb to the inhabitants. Hostages were given as a guarantee of the good faith of the besieged; and among these hostages was one of the sons of Alexander Seton, Governor of the Town. Towards the close of the time agreed upon, an army from Scotland came in sight of the citizens, to their great joy, and threatened the English army from the south side of the Tweed. While this took place, Sir William

* Pipe Rolls of King Edward III., where a long and minute account is given of the making of these engines.

† Wyntoun, vol. ii., p. 398.

Keith, with a party of Scots, obtained an entrance to the town, and so saved it from an immediate surrender. King Edward did not think that this company of Keith's amounted to a relief-party, and, when the day of capitulation came, he threatened Seton's son with death unless the town was immediately given up. Keith, now Governor, acting by the advice of Seton, who occupied an inferior position in the town, refused to surrender; and history adds that Seton's son was hanged for breach of agreement. The army of the Scots, acting under the leadership of Sir Archibald Douglas, brother of the 'good Lord James,' went south from Berwick, ravaged Northumberland, and attempted to besiege Bamborough Castle, where the Queen of Edward III. was enclosed for safety. Meanwhile, other and more exact conditions of surrender were drawn up between the besieged and the King, so that there might be no longer any doubt as to what 'a relief' meant. The town-gates were to be thrown open to Edward on the 19th of July, unless the garrison was previously increased by the entrance of two hundred men, or the Scots had overcome the English army in pitched battle. The convention was drawn up at great length with all the formality of feudal law.* It is a document of considerable interest. It proceeds to say, further, that the castle and town must be delivered up on Tuesday, 19th July, at daybreak, in the year 1333; and that the inhabitants shall have life and limb, and all their possessions spiritual and temporal, as they possessed them in the time of King Alexander—as entirely, quietly, and freely, without imprisonment or any manner of grievance. In an interesting passage the boundaries of the town are given, viz., that they (the inhabitants) may have free passage within the Bardikes, on the Snook, as far as the sea, and pasture for their cattle, and attendants to guard the said cattle by day; and from thence as far as Holdeman (which was a beacon near the entrance to the harbour), and thence by the river Tweed as far as the White wall under the castle, and thence all round the castle as far as the Bedel, and thence as far as the Bardikes and on to the Snook aforesaid, without disturbance of any one.† The inhabitants were allowed by the convention to leave the town or remain in it at pleasure. A safe-conduct was promised to all who wished to leave and dwell under the protection of the English King. Sir William Keith, Governor, was promised a double-safe conduct, to enable him to go to the Scottish Guardian and to return to his post of duty again. No Englishman was to go within the bounds aforesaid. All things in town and castle were to remain as they were. No provision of any

* 'Scot. Rolls,' 1333.

† 'Bedel,' probably the Magdalene Hospital. The 'Snook,' the Pier Field, or eastern Magdalene Field. 'Bardikes' is altogether unknown.

kind was to be put within the castle. For the fulfilment of these conditions the following hostages were given: Edward de Letham, John de Fiuz, and John de Hoom.

This convention was sealed with the Great Seal of England on the one part, along with twenty other seals of the magnates of England; and on the other part, the Earl of March put his seal to the indenture on the 15th of July. An exactly similar convention to this was made between Sir William Keith and Edward, on behalf of the town, but dated a day later, 16th of July.*

Sir William Keith, in terms of the convention, went to consult Sir A. Douglas about the surrender, when it was evidently determined that the Scots should attempt the relief of the town by means of a pitched battle. What brought Douglas to this determination can never be discovered; for it was against the manifest advice of Bruce, who left the caution to his countrymen never to fight a pitched battle with England. Douglas had retraced his steps from his vain attempt upon Bamborough, recrossed the Tweed by the Yarrow Ford, wound round the base of Halidon Hill, and pitched his tent for the night at Duns Park, an unknown site. Here the leaders formed their plans for the fight, and advanced to Lamberton Moor, within sight of the English on Halidon. Out of all reason, the Scotch determined to attack the English in this undoubtedly strong position, prompted to this rashness, it is feared, by the remembrance of Bannockburn. Douglas had before him a march of at least a mile through deep marshy land, and when that was accomplished he had to climb the steep right in the face of the superior foe. The Scotch advanced in four companies, the first commanded by the Earl of Moray, the second by the Steward of Scotland, the third by the Guardian, the fourth by the Earl of Mar.† They numbered altogether 14,000 or 15,000 men.‡

* I have narrated two conventions. I know there is much difficulty here, but we have local tradition to face that one of Seton's sons was hanged. He is not a hostage in the above convention. How otherwise was he put under Edward's power than by the plan of the narrative above? It is exceedingly improbable that a tradition like this could come down through five centuries, and the place of the transaction likewise retain the name, on a mere baseless dream. The place is still known as 'Hang-a-Dyke Nook.'

The narrative of this siege, as well as of the battle of Halidon Hill, is compiled from the best sources of information—Redpath, Hill Burton, Tytler, the old chronicles, 'Rotulæ Scotiæ,' Minot's 'Poems,' Wyntoun, and Fordun. This list supplies authority for every particular, along with an intimate knowledge of the whole locality.

The 'Siege of Berwick' by Jerningham is founded on the impossible theory of Seton's *two* sons being hanged, and of Lady Seton urging on Sir Alexander to give them up for the good of his country.

† Hailes' 'Annals,' vol. iii., appendix.

‡ The exact number is much questioned; the English annalist says 60,000.

These leaders went heroically through this marshy ground, but the plunge through it must have wearied and dispirited the men. In this condition they had to face the hillside flanked with English archers armed with their deadly weapons. The first company, under the Earl of Moray, suffered most at this point; the other companies, advancing, joined in a hand-to-hand fight. The freshness of the English soldier gave him an additional advantage. The struggle did not last long. The Scotch were driven headlong down the declivity, with no way of escape but the road by which they had approached. Now the cup of their bitterness was full indeed; for they saw their horses led away by their camp-followers, who, seeing the defeat in the distance, made off with bag and baggage. The English, now following, slew most unmercifully many of the retreating Scotch. All the way to Ayton the ground was strewed with their dead bodies.* The English, satisfied with slaughter, returned to reap the fruit of their victory. Bannockburn was amply avenged. How many Scots fell is unknown;† but so great was the loss among the nobility, including that of the Guardian, that after the battle it was currently reported among the English that the Scottish wars were at length ended, since not a man was left of that nation who had either skill, power, or inclination to assemble an army or direct its operations.

Edward was greatly elated over the victory. One of his early acts is thus recorded: He thanks God who has given him the victory, and devotes £20 a year to the Conventual House of the Cistercian nuns situated near Halidon Hill, that they may perform service for all time in remembrance of this famous victory.‡ He

* 'There men myhte well see
Many a Skotte lightly flee,
And the English after priking
With sharp swerdes them stiking.
Then their baners weren found
Alle displayde on the grounde,
And layne starkly on blode
As thei had foughten the floode.'

† 'Minot also says:
Then the Scottes lyen dede
xxx m beyond Twede,
And v m told thereto
With vii c xii and mo;
And of Englishman but sevenne
Worshipped be God in hevenne!'

The writer says seven Englishmen only were slain; but this is evidently to rhyme with hevenne! Other writers say fifteen. The continuator of Hemingford gives the Scotch loss at 14,055. 'Anonymous History of Edward III.' gives 60,000; Walsingham, 25,712. Barnes quotes a MS. of Cambridge, which gives 56,640.

‡ Rot. Scot., 25 July, 1333.

likewise ordered the houses of these nuns to be repaired, for they had been hardly dealt with during the war. He commanded an altar to be erected in their chapel, with dedication to St. Margaret; for it was here, on her special day, the battle was fought and won.

Edward then ordered his archbishops and bishops to return thanks to God; for it is by His power that they conquered, and it is 'by the Lord's favour that the town and castle have been restored.' He then addressed all men, the world at large, and asked them to return thanks, for 'by the clemency of our Saviour magnifying His mercy towards us we gained the victory near Berwick over the pompous Scots, who in no small number invaded us.' Edward III., King of England, Lord of Aquitaine, etc., thus set himself right with Heaven for taking violent possession of a town to which he had no lawful claim, and for conquering and slaying thousands of Scots!

The first and grand result of the battle was the capitulation of the town and castle of Berwick. Burton states very well the effect of this victory: 'Though Berwick repeatedly changed hands, the town never remained so long in the possession of Scotland as to be more to the country than a military post of the enemy held for a time and then retaken. Hence, from the day of Halidon Hill, Berwick was virtually the one acquisition to England by the great war, unless we may include the Isle of Man.' 'We may notice the trouble given for centuries to English legislators and men of business by this acquisition of Berwick after the boundaries had been adjusted. In mere topography Berwick held rank as a respectable market-town with a small foreign trade; but, owing to its eventful career, the place was long burdened with an official staff which, in its nomenclature at least, was pompous as that of a sovereign State. The English Government, after Scotland was lost, retained the official staff which Edward I. had designed for the administration of the country. It was huddled together within Berwick as a centre, and was in readiness to expand over such districts of Southern Scotland as England might acquire from time to time—was, indeed, ready to spread over the whole country when the proper time came. Soon after the recapture of Berwick there was a prospect of such expansion. The active field for this body, however, was contracted by degrees, and at last it was confined to the town and liberties of Berwick, which were then honoured by the possession of a Lord Chancellor, a Lord Chamberlain,* and other high officers; while the district had its own Domesday Book and other records adapted to a sovereignty on the model of the kingdom of England.'† Here is a platform sufficient for all future contingencies.

* There is no evidence to show that the Chancellor and Chamberlain here received the additional title of Lord.

† Burton's 'History of Scotland,' vol. ii., p. 318.

The King, after the battle, rested for a few days; then, on the 25th July and following days, made appointments to these great offices of State: Henry de Percy he made Keeper of Town and Castle, Thomas de Bamburgh he appointed Chancellor, and Robert de Tughale Chamberlain, Sheriff of Berwick, and Keeper of the Victuals. Tughale, along with Richard de Thurlewal, he appointed to levy the customs of the port. William de Alwyngton became Troner of Wools, Gauger of Wines, and Supervisor of the Assize of Bread. Robert de Hornclif, with the salary of £100, was made Constable of the Castle. Henry de Percy, Thomas de Kyngeston, Thomas de Heton, Robert de Hornclif, Adam de Bowes, Robert de Tughale, were appointed *custodes* of the counties of Northumberland and Berwick. William de Denum, Adam de Bowes, Richard de Emeldon were the Chief Justiciaries to hold pleas in the town and county of Berwick. These were the chief appointments, and they were surely ample enough to rule the petty concerns of Berwick and its neighbourhood. After this the King distributed favours. On the 28th July he granted a lease of the following fisheries to Thomas de Bamburgh, Master of the Domus Dei, and his Chancellor, and to Robert de Tughale Chamberlain—viz.: Fisheries of Edermouth, Totyngford, Folstreme, North Yarewyk, Hundwatre, Abstel, Lawe, and Tyt, all belonging to Berwick, and the fishery of Brade, belonging to the vill of Paxton. All these fisheries were in his hands by forfeiture, and were now let to said Thomas and Robert for 100 marks, payable half-yearly.*

We have already noticed that suspicion was cast upon the Earl of March as Keeper of the Castle during the siege, and now the ground of this suspicion was confirmed by the Earl taking the oath of fealty to Edward, and being received into royal favour. The Earl retired, under letters of protection, to the Castle of Dunbar, and remained ever afterwards faithful to the southern King. Letters of protection were granted likewise to the Master of the House of St. Mary Magdalene, to the Master of the Domus Dei, to the Prior and brethren of the Predicatores of Berwick, to John de Blekkele, chaplain of Berwick, and to seventy-four other burgesses.† To further secure the town to his allegiance the King caused twelve hostages of its greater and more consequential men to be delivered up, eight of whom were sent to Newcastle and four to York.‡ The Sheriff of York was ordered to send his men to different monasteries in England.§

* Value of Totyngford and Lawe was 11 marks yearly, and of Brade 66 marks. 'Rot. Scot.,' 1336.

† See Appendix No. II. for list.

‡ The names of the four sent to York: Nicholas, son of John Tod; John, son of John Gros; Thomas, son of John de le Bothe; Robert, son of Thomas de Nesbit, all of Berwick.

§ Robertson's 'Index.'

The King then discovered danger lurking among the Scottish monks still remaining in the different houses in Berwick, and he issued an order for their dispersion throughout England, each into different houses, that 'the occasion of their malignity may cease,' and that in their place 'English friars wise and fit might be substituted, who by their salutary preaching may instruct the people and consolidate them in their fealty and attachment to us, and disseminate, by the blessing of God, true charity between the two nations.' Henry de Percy was ordered to carry out this command. The Lanercost Chronicler adds a curious note to this kingly writ. He says that when the English monks came into a certain house in Berwick to displace the Scotch,

'The latter made a feast in honour of their coming, and some of the best talkers kept their new friends in good cheer and in interesting converse till others of the Scotch gathered together the Books, Holy Vessels and Vestments that belonged to them, and carried them off.'

Now that the King had done his best to empty Berwick of its old inhabitants, he must introduce others to carry on the trade and increase the population of the town. So he ordered proclamation to be made in many towns in England for English merchants to proceed to inhabit Berwick in order to foster trade and commerce in the town, and for reward and encouragement he offered them large and competent houses to dwell in, and as ample privileges, as had always been enjoyed by Berwick burgesses under the Scotch kings.

In the summer of 1334 Edward again came to the north—to Newcastle first, where he received the homage of Edward Baliol, who now came under a most extraordinary liability to grant to the English King, his overlord, lands in his kingdom of Scotland (as if *he* owned them), to the value of £2,000 per annum, as a recompense for the gracious act of placing him (Baliol) on the throne of Scotland. That land to this value might be secured to Edward III., Baliol conveyed in perpetuity the castle, town, and county of Berwick, and the town and county of Roxburgh—in short, all the lands south of the Firths of Forth and Clyde.* When he advanced to Berwick in the month of June, he came as master of the south of Scotland; the vast machinery he had instituted at Berwick had now room to work, and the whole staff was remodelled. Anthony de Lucy displaced for a short time Henry de Percy, who had the lordship of Annandale conferred upon him. This was done on the 19th of June, when John de Bourdon, 'our beloved clerk,' was made Chamberlain over the recently acquired provinces of Scotland, and William de Bevercotes was appointed Chancellor. Robert de Tughale, one of Edward's best friends, was continued in the office of Sheriff of Berwick, and of the extended lands now belonging

* Rymer's 'Fœdera,' 1334.

to England. Notwithstanding the extreme care which he exercised in making the new appointments, there was a universal feeling of unrest throughout Berwick and the Borders. Orders were consequently sent on to the mayor to assist Anthony de Lucy in the secure keeping of Berwick, on account of the rebellions on the Marches; and Anthony was ordered to be very scrupulous, to suppress meetings of all kinds (conventicles they are called), and to arrest and imprison all whom he considered to be of bad faith ('malefideus'). No sooner had these orders been given than Anthony was superseded again by Percy, who was recalled to this important post. He had now conferred on him, as if to appease him for this contrary action of the King, the keeping of Jedburgh Castle, as well as a salary of 500 marks. Lucy gave up the custody of the town to Mayor Burneton, who became on the 25th September, 1335, custodier of the town for one day. He was relieved of this sacred duty by John de Denum, who was appointed with full powers. The King returned to Berwick again early in November of this year, but his care was with the Scotch, and his destructive powers were exerted further north than our town. Berwick again became a vast entrepôt for provisions for the royal army. An order of vast magnitude was now issued to his friends in England, and the goods were forwarded from all parts of the south. 6,300 qrs. of wheat, 4,500 qrs. of oats, 1,900 of pease and beans, besides 20 lasts of onions, 6,000 stock or 'scraefish,' and other hard fish, and 80 hhds. of wine provided by De la Pole, the King's butler, were ordered to be sent to Berwick. His needs there now exceeded all his conveniences of house or hold, and the mayor was ordered to provide offices for his lords of state, and the same overburdened authority was ordered to provide granaries, cellars, and houses where the provisions might be stored. The mills were ordered to be put in proper repair.* Two wind-mills and two horse-mills were ordered in Newcastle for Berwick, which were to be sent to their destination before the octaves of St. Peter de Vincula under a penalty of £100. He also asked and commanded them to erect these mills as soon as they came from Newcastle, in order to grind as much meal as possible for the King, who was then at Carlisle on his way to Scotland with his army. The King must have returned from this expedition by Berwick, for here, in October of this year, he conferred the guardianship of Scotland upon William de Pressen for capturing Sir Andrew Murray, a famous leader of the Scots; and in addition he gave Pressen a grant of the mills above mentioned, and all their profits, as well as those of the town of Edrington and fishery of Edermouth. These possessions yielded in time of peace £107 5s. 7d., and they were

* The tenants of the mills, viz., the Castle Mill, two mills at Edrington, and the West Mylne—the latter in ruins—were William Beryndon, Ralph Randesman of Tweedmouth, and Allan, the miller of Appleby.

given to Pressen for 100 marks. Immediately after this grant was sealed it was discovered that the King in this instance had committed a curious mistake. He had already gifted the fishery to Thomas de Burgh and Robert de Tughale, in whose hands it had to remain for three years, to the end of their lease, notwithstanding its gift to Pressen.

The King had now taken all due precautions that affairs might remain secure. Yet there were suspicions afloat that it was but a surface-calm. He had heard that many Scotch, as well as ladies and wives of Scotchmen, resorted to Berwick, from whom danger was to be apprehended. The Governor was commanded to remove all suspected persons of whatever nationality, and twenty of the best known citizens of Berwick were sent on to castles and towns in England. All this proves that it is a hard task to hold a conquered territory, if the inhabitants of such land have any independent spirit left them. Throughout the Border the same insubordination prevailed, and the King found that after wasting many lives and spending vast sums of money he had yet no firm hold of any part of the district that Baliol had conferred upon him.

In 1335 the officials were all changed here save Mayor Burneton, who still retained his office. He received this year a special mark of royal favour. The King presented him with £40 for the able manner in which he had ruled the town and attended to its safety and its fortifications. Lord Percy, along with William de Alwynton, who was Controller of the Customs in this port, had the custody of the Seal Coket. All liberty of exportation was consequently in their hands, for no goods could leave the port without the stamp of this seal upon them. Why Percy kept the seal under authority was apparent enough. His salary was paid out of Berwick customs, and he could easily insure himself of payment when the power of exportation was in his hands.

The King for the next two or three years was frequently in the neighbourhood, but few important events occurred in which royalty had any part. In the summer of 1337 Edward again came to the north, and passed a few days in the town ; but returning to England in the autumn, for the next three or four years he was engaged in French affairs, and Scotland and its concerns were well-nigh forgotten.

Edward is well known in history as the royal wool-merchant: but, on investigation, Berwick certainly owes no gratitude to him for any encouragement he ever gave to the wool trade in this town. It will be remembered that, in 1333, he promised to bestow great and important privileges upon merchants who would come and carry on trade in Berwick. Instead of being thankful for privileges, in 1336 they had nothing but complaints. They were charged for custom 4d. for

every pound's worth of merchandise brought by sea ; 4d. for each bale, great or small ; 4d. for each cloth brought from England, which was measured by the King's Alnager, who placed upon the cloth his seal of Berwick ; and after that custom was paid, the Alnager of Berwick compelled the cloth again to be measured, and took for alnage 4d. for each cloth. Also in like manner for tuns of wine carried thither, which had been gauged and marked with the iron ; the gauger afterwards gauged them, and took 4d. per piece for custom of gauging. Again, the porters of the town, more particularly of the port of the Tweed, had not anything to support them except what they took as perquisites, so that neither merchants with their goods nor sailors could depart before nine o'clock in the morning nor after nine o'clock in the evening without great loss. Void places belonging to the King in the town were let so dear that a place let for 12d. was dear at 2d. The citizens and free burgesses of England used to come with goods to Berwick free and quit of custom, but were now distrained to pay custom as if they were strangers. Formerly from every vessel laden with corn the custom was to take two bolls of corn ; now two of each kind the ship was laden with were demanded. After goods had been coketed here, Berwick burgesses, if driven by distress of weather to take shelter at Newcastle or other English ports, were obliged to pay custom again, as if these goods were for sale. So that merchants, instead of being drawn to Berwick by privileges granted, were repelled from the town by the exorbitant charges made upon them. On these complaints being made known to the King he ordered redress to the merchants and burgesses of Berwick.

But it is in regard to the wool trade that we find the most disappointing results. Wool, hides and pelts had formed the great staple trade in Berwick for over 200 years, and this was the trade which was damaged to the greatest degree by the wars and by royal interference in particular. It is worthy of note that in the earliest record there is of this trade Alexander II. interested himself on its behalf. In 1248 he admonished Robert Bernham, then Mayor of Berwick, 'not to impede the foreign merchants who come to the priory of Coldingham to buy the wool and other merchandise of the prior and convent of Coldingham, for they buy and carry the merchandise of that place, paying to us our ancient custom.' No further mention of this trade occurs till the conquest of Berwick in 1296, when we learn that Flemish merchants were located in Berwick, and were great traders in the commodity. Staunch to one another, they determined on resisting Edward's advance upon the town, and heroically met their fate amid the ruin and conflagration of their commercial hall—the 'Red Hall' of history. The trade never fully recovered this terrible disaster. We hear little of it for the next thirty years, save

that Edward I. and II. and Robert the Bruce did all that lay in their power to encourage it, and to get merchants to settle in the town and advance its interests. When we reach the reign of Edward III. the wool trade is mentioned on almost every page of the 'Scotch Rolls.' There were two staples of exportation—Bruges or Calais. When the Flemings were at war with Edward III., then Calais alone was the staple for English wool. This caused a vacillation in Edward's orders, which was a great trouble to Berwick merchants. When Edward conquered Scotland in 1333 he promised to the burgesses of Berwick that he would allow them to export wool and hides under the same tax as they had done in the time of Alexander, King of Scotland. This implied a great privilege. For the tax in Scotch ports on these articles of trade was only one-fourth of what it was in English ports; and not only were smaller taxes allowed, but in the times of Edward I. and of Bruce lambskins, fotefells, and shearlings were exported free of any tax whatever.* The very much lighter tax on Scotch wool offered a great temptation to the Northumbrian woolowners to smuggle wool into Berwick in order to obtain better terms from the merchants. A saving of 27s. a sack, which might be shared between seller and exporter, was a great inducement to force this illegal traffic. The officials of the Custom House in Berwick soon discovered this wrong-doing, for not only was the quantity that was being customed excessive, but the quality of the Northumbrian wool was finer. The only remedy the King could devise was to close the port and lock up the seal, which was done for the first time on October 12, 1336. The immediate consequence of the prohibition of all exportation was a cry of poverty from the town, and a petition to the King to this effect, that because of crippled foreign commerce, and because of the wars with Scotland, Berwick was so poor that its citizens, merchants,† and others had no choice but to leave the town. After two years, and in answer to this petition, the King removed the prohibition, and allowed exportation on the same conditions as before. But the King could not be restrained from intermeddling with this important trade. The staple to Calais was sometimes forced, even when he was at peace with Flanders. The fortifications of Calais were to be strengthened, and the only plan that occurred to Edward III. was to lay an extra tax of 1s. 7d. on all wool entering through the Custom House at Calais, and compel every English merchant to export to that staple alone. Again, at another time he seized all the wool in

* 'Scotch Rolls,' 1353.

† The names of Berwick merchants mentioned at this time are: Robert Wake, Richard Stanhope, Simon Stow, Simon Chandy, Alexander Lang, of Belford, William de Goseworth, Thomas de Beverley, John de London, Thomas de Dalton, John de Lowyk, Laurentius Bailliff, John Saurley, John Hunter, John Stanhope.

his kingdom and sold it for his own profit, to enable him to carry on his expensive wars. There was no possibility of trade flourishing under such conditions. In the succeeding reign the trade became still more complicated. The King's officers had now discovered a new district for taxation. That part of Scotland, which is now known as Teviotdale, belonged to England, and had done so since the beginning of Edward III.'s reign. There were thus three districts from which wool might come to Berwick—from Scotland, from Teviotdale, and from England. Now a different tax was exacted from each of these divisions. From the first division the old tax, as in the time of the Alexanders ; from the second, double the Scotch tax ; and from the third, the quadruple tax that was generally demanded for English wool in English ports. We cannot follow the changes further.

Some interesting particulars in regard to the trade during these reigns may be shortly referred to. The price of wool in Edward III.'s reign is given as follows: 51 sacks, 10 peres, or stones, were sold at Carlisle for £169 9s. 3d., or £3 5s. per sack, which price gives 2s. 6d. per stone. Prynne quotes wool in 1276 at £7 8s. 5d. per sack, or more than double that price. In 1494 the price quoted in the 'Scotch Rolls' is £6 13s. 4d. per sack.

The walls and fortifications of Berwick were to be repaired at the expense of the burgesses themselves, and to meet this expense an extra tax of 40d. was laid on every sack of wool, 40d. on every 300 fells, and 80d. on every last of hides. The tax was doubled for strange merchants frequenting the port. Again, when the port was to be repaired, a tax of 18d. was levied on every sack of wool, and 18d. on every last of hides. The King looked kindly on Berwick at times. For instance, in 1357 he allowed the 'resident' burgesses to purchase 1,000 sacks of wool in Lincoln, York, and Northumberland, to export the same to Flanders, with a drawback of one mark upon 50s. of a tax then levied in England upon wool.* This was equal to a subsidy of £666 13s. 4d., which may be reckoned at that period an enormous sum.

In the same strain, a few years later, Edward, by a left-handed gift, conferred a solid benefit on the merchants of Berwick. Considering the damage and perils to which the town was subject by the mortal pestilence in these parts and by other causes, the King, in order to relieve the town and induce a greater number of merchants to remain in it, reduced the tax of 20s. then payable on Scotch wool to 1 mark, and the one-half of this reduction 'we shall give to be expended in relief of the burgesses who now reside in Berwick, and shall continue to do so for three years.' Although all wool was then directed to be exported to Calais, yet the

* 'Rot. Scot.,' 1357.

mayor of that port was directed not to exact the 40d. extra tax then payable for wool in that port from his Berwick friends.* All this was kindly meant, but it should be remembered that the King was at this time imposing a tax nearly double what he had any right to exact, and what he had often promised not to demand.

Again, in 1385 the King granted liberty to export, by special license, 1,000 sacks of Northumberland wool at one mark per sack instead of two, which the burgesses had had to pay for some years.† This order lasted for three years, when it was entirely revoked. Yet this must have been an immense saving to the merchants of Berwick. In 1405, Henry IV. granted, for the purpose of repairing the burnings and wasting of the town, that wool be brought from Scotland or England at pleasure, and exported at a common tax of 13s. 4d. per sack, and this order to last for ten years, because of the terrible destruction by the Scots.‡ The town had either been fearfully destroyed, or the Kings had been growing more careless and less exacting; for this order was extended first for six years, then for eight years longer, because the town was not yet amended.

This manner of paying for damages done by war, or by the burning and wasting of Richard's armies, seems to have been a very generally adopted plan. In 1389, after Melrose had been terribly wasted by the English soldiers, the monks were allowed 2s. of a drawback on every sack of wool they exported at Berwick up to 1,000 sacks.§

* 'Rot. Scot.,' 1362. † *Ibid.*, 1385. ‡ *Ibid.*, 1405. § 'Rot. Scot.,' 1389.

J. HERRIOTT, Photographer, .

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CHAPTER V.

TO resume our narrative from 1337, we find that there was for four years at least active war with the Scots. Berwick continued all this time a busy port, because of the quantities of provisions sent north for the English soldiers, and for supplies to the more northern castles that were at present in the hands of the English, viz., Perth, Stirling, Cupar, and Edinburgh. It required large quantities of provisions for all the soldiers and garrisons, but large sums of money were also necessary to keep all these in a proper state of defence. The Berwick garrison consisted of 290 soldiers of all ranks. Men-at-arms were promised 8d. and archers 3d. per day. However, Richard de Talbot, Keeper of the Town, had an idea that this was an extravagant amount to spend, and he promised the King to keep Berwick with 50 men-at-arms, 3 knights, and 100 archers; his own pay to be 4s., each knight 2s., each man-at-arms 1s., each hobelar 4d., and each archer 3d. per day. Talbot did not find the task of defending Berwick quite such an easy one as he imagined, for he left in haste in a few months, taking all his men with him. The Mayor of Berwick and the Sheriff of Northumberland were ordered to levy forty men well armed, and twenty stout and powerful archers for its defence, until the Chamberlain should return to take the place of Keeper, while a new appointment was being made. These payments mentioned above were promised, but slowly and sparingly made. The King was informed in 1338 that many of his servants were leaving the town in consequence, when the Chamberlain was peremptorily ordered to pay them their wages. John de Mowbray, Talbot's successor, to whom there was due £2,000 for expenses of his men-at-arms and archers, complained that he was only paid £100 of this sum. £600 more was then sent him, but he had to be content meanwhile to wait for the balance of £1,300 still due to him. Complaints of

this kind are common through the remaining period of the history, and especially in the reign of the virgin Queen.

Notwithstanding all this waste of money and of men in the Scotch war, and in spite of all the bravery and energy Edward III. displayed, he never came any nearer the complete conquest of Scotland. Even the Castle of Dunbar, so near the Borders, he never acquired. The Black Agnes of history, daughter of Randolph, Bruce's friend, defended it against all the force of the English King. The raising of this siege gave great encouragement to the Scots to continue their warfare, and to endeavour to throw off all English domination. During 1339 and 1340, a great part of Scotland was won back to its native ruler. Castle after castle fell into the hands of its regent, Sir Andrew Murray.

In 1341 Stirling was besieged by the Scots, under the leadership of Sir William Douglas. Edward hastened to its rescue, and arrived at Berwick, on his way to the north, at the head of an army of 4,000 men and 6,000 horse. The news of the capitulation of Stirling garrison caused him to fall back upon Newcastle, and while he was there the Scots sent ambassadors to sue for peace.* Edward, equally glad of a respite, granted a truce for six months. Immediately this was accomplished, the leaders of the different armies began to fraternize. Edward came and spent his Christmas at Roxburgh, which was still in his hands. Sir William Douglas† visited the Earl of Derby, one of Edward's leaders, and was most hospitably received and entertained. Jousting formed their soldier-like pastime. Edward came to Berwick to spend the Easter of 1342. Here again jousting was engaged in with great zeal. Twelve Englishmen challenged twelve Scotch. For a graphic account of this meeting we are indebted to Wyntoun the chronicler.

After the preliminaries had been settled, viz., in what suits each was to perform, and how the prizes were to be decided, the chronicler adds:

'The justyng lestyd dayis thre,
Qwhare men apert [bold] cowrsis mycht se.
Twa Inglis knychtis thare ware slayne;
Off Scottismen there deyde nayne.
Bot turnand hamwart be the way
Off ane hurt endyt Jhone the Hay;

* 'The King orders William de Careswell, Keeper of the Town, if the Commissioners of David, King of Scotland, pass his district, to allow them to purchase moderate amounts of victuals for themselves and families from those who choose to serve them without the gates, but not to suffer them to pass the gates; and he was to do this as if out of his own head, and *not* by order of the King.'—'Rot. Scot.,' 1341.

† Sir William Douglas, son of Archibald Douglas, slain at Halidon Hill. Sir William was made an earl by David II.

And Willame the Ramsay wes there,
Borne throw the hewyd [head] wyth a spere,
And throw the helme wyth strynth off hand
Qwhill the trwnsowne thare stekand.'

In this condition Ramsay was shriven by a priest. The Earl of Derby, standing near, said he desired no other ending than this, for it was 'a fayre sycht, no fayrere sycht ma man se.' When shriven, Alexander Ramsay

'Gert lay hym [the wounded man] down forowtyn lete;
And on his helme his fute he sete,
And wyth gret strynth owt can aras [pluck]
The trownsown that thare stekand was.
He rase allane, fra it wes owte
And wyth a gud will and a stowte
He sayd, that he wald ayl na-thyng.
Tharoff the erle had wonderyng,
And gretly hym commendit then,
And sayd, "Lw! stowt hartis off men."'

This pastime continued for three days, and on the third Patrick the Grame hurried on to it as soon as he had arrived from 'beyond the se.' He offered a jousting to anyone who would engage. With this result Grame fought with

'A cumly knycht
That semyt stowt bath bald and wycht . . .

On the morn at the justyng
He bare hym throu the body qwhit
And he deyt off the dynt welle tyte.'

The prizes were then divided, one to the best of the English, and one to the best of the Scotch. The English winner's name is not recorded; but William Ramsay, the wounded 'knycht,' received the Scotch prize. The Earl of Derby sums up the whole proceedings in these lines:

'"I trow it has bene seldyn sene
That off were justyng, thus has bene
Contenyt thre dayis, and the prys
Gywyn, as at thys justyng is." . . .
He festaid the jwstarys that day
That on the morn syne held thaire way.'*

The walls were beginning to attract attention now. Decay seemed to be threatening them in various places. If the walls had been wholly of stone, and built in the manner in which those of that early date were usually built, no repairs

* 'Wyntoun,' book viii., line 5215 and onwards.

should yet have been required. Wood, however, was in constant requisition, and wood was in great danger of either decaying or of being carried away for fuel. 'In 1340 the walls around the town threaten loss and ruin in several places, and John de Mowbray, Governor, must have them repaired at once.' In 1343 justiciaries were appointed to inquire concerning certain evil-doers and disturbers of the peace who had broken down some embattlements upon the walls made for defence of the same, and had taken and carried away timber to the value of £100, and had inflicted other enormities to the grave hurt and contempt of the town.

In 1345 a duplicate of this order occurs. Walls and mills were ruinous, wood was again stolen, and an inquiry was to be made as to the theft. The need for so much wood seems at first sight unexplainable. But the old walls of the town were guarded by nineteen towers, and the wall itself was supported on the side next the town by an embankment of earth. Through this embankment there were underground passages to the towers, and these passages, generally more than thirty feet in length, were lined on sides and top with boards, which were constantly being carried away or wasted by decay. Hence the continual cry of ruinous walls and robberies of wood.

In 1344 Walter de Creyk, Keeper of the Town, and Percy, Keeper of the Castle, were enjoined to supervise the repair of houses, walls, towers, battlements, bretagia, and buildings enclosed in the town. For this work the Berwick burgesses lent the King £600, which they experienced great difficulty in recovering. £500 was at length paid by the Chamberlain out of the customs of the port, and for the remainder the King granted them the right of collecting the following taxes till the whole was paid:

1. Small custom of water of Tweed, with bushels and measures . 40 marks per annum.
2. Our fishery there . . . . . 26 ditto.
3. Fines in the Tolbooth . . . . . 5 ditto.
4. The Burgh Mails and Stallegerie . . . . . 8 ditto.
5. The halpenny tol . . . . . 100s.*

These were equal to a sum of £57 13s. 4d., and were to be allowed for two years. The Chamberlain was either at the end of that time to make up the deficiency or recover the surplus.

There was good reason for Edward's anxiety about the state of the fortifications during these years. David II. had been sent to France shortly after the year 1333 to be out of harm's way. The King of France received him courteously, for the Scots and French were good friends, and both were enemies of England. David returned to Scotland after an absence of nine years, when he was but seventeen

* 'Rot. Scot.,' 1344.

years old, and at this early age he was appointed King with full powers. The English at this date, 1341, had been driven almost entirely out of Scotland; and had David equalled his father in prudence and in skill of handling armies, a very different colour had tinged all our future history. But, headstrong and rash, he began at once making inroads into England, which ended in the disastrous fight of Neville's Cross, 1346, and his capture by Sir John Copeland, who held at this time the office of Supervisor of the Fortifications of Berwick. John, a warlike man, had offered his services to the King against David, and had met with marvellous success; he was rewarded with a grant of £500, £100 of which was to be paid out of the customs of Berwick. David was injured in the battle, and did not reach London till January, 1347, where he was kept captive for many years.

No open war took place after this for some time. A truce for eight years was agreed upon, but was badly kept. The Borders continued in a most disturbed state. The 'iter Justiciar' was delayed in 1347 because of the dangers of the time. The Bishop of Durham was using his influence not on the side of peace, as he ought to have done, for he was ordered by the King to desist from his extortions upon the burgesses of Berwick, and to cease collecting excessive tolls from goods crossing the water of Tweed. King Edward was anxious at this crisis to calm any irritation in the minds of the inhabitants for fear of losing his hold upon the town. He issued orders that no new taxes were to be levied, and in order to assure the burgesses of his favour, that lands and tenements be gifted to them. His friends had all these possessions confirmed to them beyond dispute. Robert de Tughale, who now held almost every available office, had a renewed grant of all his tenements and fisheries. And a wonderful concession was granted to the Scots, who were now allowed to come and trade within the walls of the town. The fortifications must likewise be strengthened and thoroughly repaired; and a bridge between town and castle was to be rebuilt. A sum of £200, obtained for the ransom of a prisoner, was to be paid into the exchequer for the execution of these works.

In the same year the life of the mayor, Richard de Stanhope, seems to have been threatened, for the King ordered inquisition to be made concerning some malefactors who had conspired against the life of the mayor and the peace of Berwick:

'There are many malefactors and disturbers of our peace, as well Scotch as English, confederated in large numbers in divers conventicles and congregations within the town as without, against the mayor of the town, as against others in our allegiance.'

It does not appear why this order should have been necessary. It was the time of Wycliff, and if the conventicles had been gatherings of heretics we might have been disposed to have referred the whole matter to the religious animosities of the

times. But nothing in the record points to this supposition, and nothing in the history of the period sheds any light upon it. Edward continued to soothe the feelings of the Berwick merchants and authorities. The laws of the Kings of Scotland were to prevail in the town without any hindrance, and all trade restrictions, other than what were in force under the laws of the Alexanders, were to be entirely removed. He evidently had a presentiment at this time that his hold upon the town was both slight and uncertain. Before the year 1355 elapsed the fact of this uncertainty was violently thrust upon him. During the former part of this year the Scots had met with some successes against England. A company of them had raided upon Norham, and successfully burned and plundered the village. Another company met the English in a skirmish at Nesbit Moor in Berwickshire, and was again triumphant. Emboldened by these exploits, Thomas Stewart, Earl of Angus, assisted by the Earl of March, made a brave and successful attempt against Berwick in this year. The details of this attack are various and obscure. The usual account states that a fleet of ships landed an army on the north side of the town (Greenses Harbour). When disembarked, the soldiers, covered by the obscurity of an October night, crept up to the walls near the Cowgate—Wyntoun says 'Kow Yete'—where the scaling-ladders were placed. William de Tour is said to have mounted first, and was fast followed by the bravest of the Scots, and the sentinel being overpowered, a short and sharp skirmish left the Scots masters of the town. Alexander Ogle,* English captain of the town, was slain, and two other English knights. The victors' loss is stated at eight knights of considerable rank. The inhabitants, panic-struck with the noise of battle, rushed out in the night, fled half-naked across the river, or took shelter by way of the Douglas Tower or the castle, which, at this time, remained in the hands of the English. The Scots, eager to gain the castle, attacked it through the Douglas Tower, but were eventually repulsed. In the capture, Fordun and other chroniclers report that 'the Scots gat great riches in the toun,' a fact that may well be doubted.† The Scots would certainly pillage the town when they were masters of it, for the inhabitants had left it to their mercy. It was held by England's enemies but a short time. Edward, who considered Berwick of the greatest importance, heard of its loss while in France. He delayed not a moment after receipt of the news. He crossed to London, and before he himself could reach the north he ordered a levy of 82 men-

* Redpath calls him 'Alexander'; Wyntoun says '*Robert* off Oglis.'

† 'Fordun,' ch. 173, says: 'Relictis Scotigenis auro et argento de devitiis infinitis.' Wyntoun more quaintly puts it:

'Off that spreth mony war rychyd thare
That pour and sympill befor ware.'

Holinshed adds that 'After twenty years' quietude, the town had become opulent.'

at-arms and 1,100 archers, 'with white head-dresses and black tippets,' to proceed from the West Riding of Yorkshire to the relief of Berwick Castle. After the stay of only a few days in London, though the Parliament was in session, he hastened north, and reached Newcastle for the Christmas festivities, and arrived at Berwick on the 14th of January. In the words of Avesbury:

'Edward III. having his army lodged near the town of Berwick, and his navy in the Haven ready to assail the Scots that were within the town, entered the castle, which the English still held. Sir Walter de Manny was a captain of great value in sieges. He had brought with him certain miners from the Forest of Dean and other parts of the realm, whom Sir Walter at once set to work to make an underground passage through which the English might enter the town. Hereupon the Scots perceived in what danger they stood, and knew that they could not long defend the town against the besiegers, and therefore surrendered it into their hands without further resistance.'

So far Avesbury; but the ordinary account says that the Scots left the town when the English appeared, after they had razed the walls and burnt the houses of the town.* We are again told of this surrender in these words, 'that when Edward arrived at Berwick, and entered the castle, the burgesses came to terms with Edward, contrary to the wishes of the Scots, and the latter departed, surrendering on terms of life and limb.' If the Scots gained great riches on the taking of the town, and carried them away, it is quite clear that they must have left Berwick before Edward came to it. It was most unlikely that he would allow them to capitulate, and carry off plunder at the same time. Edward, after the submission and settlement of Berwick, proceeded to Scotland as far as Edinburgh, and returned by Carlisle, ravaging and burning all that came in his way, leaving misery and wretchedness behind; this terrible raid is remembered in Scotland as the 'Burnt Candlemas.' By this expedition the King renewed his authority over the whole of the South of Scotland, and ordered that the laws and customs of the land be not altered in that district, and that they be carefully observed in Berwick for the true allegiance of its inhabitants. He ordered that all the goods and possessions of those who returned to the town, after its evacuation by the Scots, be restored to their rightful owners. He also confirmed the Charter of Edward I. He then attempted to put the fortifications into the state in which they were before this untimely irruption of the northern army. Sir John Copeland and Richard Tempest, overseers in the work, were ordered to restore the Douglas Tower, to repair the defects in the walls, towers, bretagia, gates, bridges, barriers and fosses, both of castle and town. These repairs speak of the amount of damage done by this capture and recapture of the old town of Berwick. To increase the population if possible, he ordered that no freeman should enjoy the privileges of freedom unless he took up his residence within

* Holinshed's 'Scotland,' 1356.

the walls. An important privilege was granted to the town besides the diminution of the tax upon wool. The Scots were to be allowed to come and trade with the town; and the burgesses permitted to sell them as much as 3,000 qrs. of wheat, 2,000 of malt, 600 of peas and beans, and 400 of oats. A market-place was fixed for this purpose on the Calf Hill, outside the town.

It was in the year 1357 that David Bruce obtained freedom from his lengthened imprisonment in England. Berwick was the centre at which all the negotiations for his liberation were transacted and finally adjusted. In 1351 an unsuccessful attempt was made by David to free himself by ransom. He was permitted to go to Scotland to make arrangements, but was forced, by the statesmen in Scotland rejecting the terms, to return again to Edward's power. After further negotiations, which lasted for six years, he was at length liberated in 1357, when the treaty of Berwick was finally concluded and confirmed by the Parliaments of both countries. On the 16th of August, a safe-conduct was granted to a number of Scots 'to proceed to Berwick to treat about the ransom of David de Bruys.' On the same day the Archbishop of York had the King of Scots delivered to his keeping in order to proceed to Berwick with him. The Northumbrian barons with their vassals had to proceed thither, and to remain there until the Scots returned home. Evidently the treacherous Scot was not to be trusted. This must have been a gay and busy time in the old Border town. Here came from England: John, Archbishop of York; Thomas, Bishop of Durham; Gilbert, Bishop of Carlisle; Henry Percy, Ralph Neville, Henry Scroop, Thomas Musgrave; and from Scotland: William, Bishop of St. Andrews; Thomas, Bishop of Caithness; Patrick of Brechin, Chancellor of Scotland; the Earl of March, Sir Robert Erskyn, Sir William Levingston.*

In the treaty it was agreed that 'the noble Prince, David of Scotland' (he is never called King by Edward) 'be fully delivered without our prison, and ransomed by certain sums of money, on conditions and in form following; viz., that 100,000 marks be paid within ten years next to come in equal portions. The payments are to be made to an assignee of the English King by letters under Royal Seal at Berwick, if it is in our hands; and if not, at Norham, or at the King's pleasure at Bamborough.' It is a well-known fact in history that this was a burden upon Scotland greater than it was able to bear. It served shortly after as a pretext to try and wrench the independence of Scotland out of the hands of the Scots. Edward would release all the debt, would even give up all claim to Berwick, if they would ratify a deed by which the kingdom would become English on David's death,

* The 'Scotch Rolls' is the great storehouse for all these details.

if no heirs of his body remained. These terms were presented to the Scotch Parliament, to be rejected with scornful indignation, and Scotland remained for ever free. The instalments of the ransom continued to be paid at uncertain periods by David and David's successor, many of the payments being made at Berwick in presence of Henry Percy, the Governor, Ralph Neville and John Copeland.

The repeated conquests of Berwick were beginning to tell upon its condition. The cry of poverty was first distinctly heard from the citizens in the year 1357—a cry that became louder and more persistent as time went on. To stifle it in the meantime, the English King bestowed upon them greater exporting facilities; gave grants of property during the year to as many inhabitants as ever he could; allowed, or rather invited, the burgesses to insert as many names as possible in the burgess-roll for the better inhabiting the town, and for the greater prosecution of trade. Moreover, he granted the profits arising from the Berfrey, or prison, for the good of the town. Three years after this, he granted them freedom from a subsidy that burdened the rest of the nation, and added unusual facilities for trade, such as a considerable drawback upon wool. These grants and kingly privileges show that the current that was urging Berwick on in the tide of time was urging it more and more out of the flow of successful trade.

Though the Earls of Northumberland in succession were Governors of Berwick at this period, as well as Wardens of the East Marches, yet they were seldom personally present at their post of duty, and Deputy-Governors held rule; these were often changed. The changes are rung upon John Copeland, Richard Tempest, Alan de Heton, and Thomas de Musgrave. From an indenture of an engagement of Tempest's, preserved in the 'Scotch Rolls,' we may learn some interesting particulars:

'This Indenture, made between our Lord the King on the one part and Richard Tempest, Knight, on the other part, testifies that the said Richard undertakes to do his best for the safe keeping of the town of Berwick from the day of the feast of the Nativity of St. John the Baptist next to come until the same day of the Nativity next following for one year fully accomplished, and shall have for the said keeping as many men-at-arms and armed archers and others as he will see necessary and as will be sufficient for the safe keeping of said town, and will be paid by the King £500 by quarterly payments. At the end of the same year the said Richard will be discharged unless a new bargain has been made. And the said Richard shall have power as one of the Guardians of the Marches to give safe-conducts and trews, and to receive persons to the peace of the King, as he shall see good for the King's profit. The repairing of the walls and bretagia, fosses and gates in the town will be done at the cost of the King, and by the ordinance of the said Richard and under his care. In case of the perils of war, a greater number of armed men may be kept than in times of peace, and the King will provide for them as is necessary. In testimony, etc., the King affixes his great seal, 12 June, 1363.'

Tempest retained his charge for one year, when Alan de Heton succeeded, whom

Sir Thomas de Musgrave followed. This last Governor was taken prisoner at Duns by the Scots, in 1370; the Scotch and English, all along the Border, had been raiding one on the other in a most destructive manner. About this time, Sir John Gordon had obtained an advantage over the English at Carham, and took Sir John Lilburn and many of his followers prisoners. Percy, to punish these losses and insults, led seven thousand men through the Merse into Scotland, and encamped at Duns. Here his further progress was stayed by a contrivance of the peasants and shepherds of the neighbourhood. They made use of a machine which they possessed for frightening the deer and wild cattle from the corn. These were rattles made of pieces of dried skins distended round ribs of wood, and fixed to the end of long poles. The bags, being furnished with a few pebbles, and shaken vigorously, made such a hideous noise, when an unusual number of them were employed together, that the horses of the English took fright and broke away from their keepers, and ran up and down the country until they became a prey to the country people. The army, awakened with the same noise, dispersed, and fled across the Tweed. Musgrave, coming to the help of Percy, fell into an ambush laid for him by Gordon, and was taken prisoner, as well as the troops he commanded.*

Edward III.'s long reign now comes to a close, a reign most disastrous to Berwick and to Scotland. He was succeeded by the weak and vacillating Richard II., when the Borders were kept even less successfully than in the time of his grandfather.

* Redpath, p. 240, edition 1848. The story is scarcely credited by the historian who relates it.

CHAPTER VI.

ONE of the first acts of Richard's government towards Berwick was an order of protection for the burgesses, in these terms (Dec. 6, 1377):

'The King to all Sheriffs, Mayors, etc., in England as in Scotland. Salute. Willing to do especial grace to our beloved in Christ the burgesses of our town of Berwick upon Tweed, who continually dwell in said fortified town in our allegiance not without great expense and labour, we take the burgesses and every one of their servants' rents, lands, possessions, and all goods under our special protection and defence, and therefore we command you that you maintain, protect, and defend the aforesaid burgesses' rents, etc., *ut supra*, neither inflicting on them any injury, molestation, hurt, impediment, or any other grievance whatsoever. If any one has caused any injury whatever to any one of them you cause that to be corrected and reformed without delay. We are unwilling that anything should be taken for our necessity, either of corn, hay, horses, conveyances, victuals, or other goods or chattels.'

This special protection of royalty was to last for three years: but all the King's good wishes could not prevent abuse of the town or castle. Next year, 1378, there was a more daring and successful assault made upon the latter. The raids I have mentioned became every year more destructive, and both sides desired peace. Percy and Sir John Gordon met at Berwick this year to arrange the terms of an armistice as the basis of a more enduring peace, when the news suddenly burst upon them that eight desperadoes had suddenly surprised Berwick Castle, which caused all thoughts of peace to be laid aside.

'On November 30th robbers of the Scottish March entered furtively the Castle of Berwick by night through a certain "foramen" of a certain tower, and finding the Constable of said Castle, Sir Robert de Boynton, a stout soldier, then unprepared, they slew him, but permitted his wife and family to escape upon condition of paying 2,000 marks within the three following weeks, or otherwise of rendering their bodies in prison. Then the next morning the same "Vespiliones" from the Castle through the contiguous country stole sheep and oxen and different kinds of animals, and led them for their food to the Castle, and it was hoped by many that these things were done by the counsel and favour of the magnates of Scotland. The Earl of Northumberland having heard of these proceedings hasted to besiege these malefactors, and without delay made an assault against the Castle, fighting

them within with stone-throwing and other warlike machines for a long time. The same Earl had placed himself and his eldest son Henry (Hotspur) at the great gate of the Castle, Sir Alan de Heton and his men at another part, Thomas de Ilderton and his men at another part, and all the family of the Herons at a fourth part. And calling for the assistance of the "Most High," they made a simultaneous attack against the walls. Neither did the courage of the besieged fail them, for they repelled the English who were opposed to them bravely and manfully, and drove them from the breaches for more than two hours. At length, after a severe and long conflict, fortune smiling upon our soldiers, the traitors were miraculously captured, when all the lords whom we have mentioned surrounded the walls, entered together and at once, everyone at that point which he had undertaken to attack. Of the English two were slain and many wounded; but of the Scots there were slain forty-eight, one only being reserved to life who betrayed the counsels of the Scots to our men. . . . The Earl of Northumberland taxed the Earl of Dunbar with giving aid to the Scots, but Dunbar denied all complicity, and said he would assist the Earl to undo the Scots.' *

It was very difficult to discover any other object than mere wantonness these eight men could have had in assaulting this stronghold. They must have been well aware they held their lives in their hands in so doing. The leader of the eight was said to be Alexander Ramsay, who was spared in the hope that he might reveal the object he had in this attack. Whether he ever revealed anything does not appear on the page of history.

On the conclusion of this attack upon the castle, renewed efforts were made for peace. The Duke of Lancaster, the King's uncle, was at this time sent north on this errand, with a considerable force to strengthen his endeavours. The Wardens of the Scots Borders met him at Berwick, and readily agreed to a year's truce. Then the year following the Duke was requested to meet at Abchester, near Ayton, with the eldest son of the Scotch King, when they agreed to a prolongation of the truce till the year 1384. It was when Lancaster was north that Jack Cade's rebellion took place in England. Lancaster, who was so conciliatory to the Scots, was the chief object of the hatred of Jack Cade's followers; but he remained safe across the Borders until the storm of this uprising passed. When the time came for his return home, Sir Matthew Redman, Captain of Berwick Castle, had strict orders from Northumberland† not to allow any one from Scotland to enter England by Berwick. The Duke, who had been slighted by Northumberland the previous year, presented

* Walsingham à Camden. It is questionable if there were more than forty men in the castle when it was recaptured. Of the original eight six names have been preserved—Thomas Hog, Leighert, Artwood, Gray, Hempsede, Jak de Fordun.

† In 1379 there is an incident related which throws a very characteristic light upon the habits of our seashore friends. A ship had sailed from Edinburgh to Tweedmouth with a cargo for which the Earl of Northumberland had paid £589 8s. 9d. On reaching the mouth of the harbour it became a wreck; when the Earl sent to try and recover his goods not a vestige remained; the whole had been carried away, stolen in the darkness of one night. The Earl sues for its restoration, and all are enjoined to be very diligent to discover the culprit.—'Rot. Scot.,' 1379.

himself at the gates, whither the Scots had escorted him with a convoy of 800 spears,* and was refused admission. This led to a great disturbance, and the wrath of the Duke was only appeased when the northern Earl, at the King's request, sought pardon from the Duke for the terrible affront.

King Richard's protection still extended over the burgesses. He was kind and reasonable—at least his Council of Government was, with the Duke of Lancaster at its head. In 1383 the Council extended its benevolence to Berwick in a manner certainly worthy of note, not so much for the amount of the gift as for the reason given for it. A subsidy or new tax had been levied over the whole kingdom, viz., of 2s. on every hogshead of wine and 6d. on every pound weight of merchandise. But the Council said, 'We wish you to be exonerated of this tax because, first, Berwick is situated beyond the limits of the kingdom; secondly, the men of this same town are not accustomed to come to our Parliament; and thirdly,' they add, 'of right you ought not to be burdened with this subsidy.'† No representation, no taxation. It says much for the Council of Regency that they were able to formulate so fair and faultless a principle. Were the statesmen of Richard II. in 1383 not more enlightened than those of George III. in 1761?

The history of Berwick in 1384 seems dark and troubled, difficult to unravel. It seems that the Scots had burned the town in the month of May or June, but had obtained no possession. This is shown by a letter written by James Douglas, Lord of Dalkeith, Warden of the Marches of Scotland. Richard complained to him of the infraction of the truce then existing between the two countries. Douglas wrote Richard a characteristic letter, defending his conduct and accusing Richard of allowing his men against all honesty to 'herry' Scotland. The letter is long, but is highly illustrative of the period.

It bears date 26th July, 1383:

'He‡ excellent, and rycht mychty prynce, likit to your henes to wyte me, haff resavit your honorabile letters to me sende be a reverend fadir, the Abbot of Calkow, contenand that it is well knowin that trewis war tane and sworne o late betwix ye rewmys of Ingland and Scotlande, and for that yhu mervaulis gretly that my men be my wille and assent, has byrnde ye toun of Berwike and in other certayne places within the rewme of Ingland in brakyng fully ye saide trewis in my defaute and nathing in yhour and als agayn my othe made in streynthing of ye same trewis of ye qwhilke yhe desire rather that amende war made than any mar harme war done tharfor. Requirande me to do yhou to wyte qwhen I will gere refourme ye sayde attemptatz or qwhat my (full) will be to do o that matter. Anente ye qwhilkys, hee and excellent pyrnce, qwhar yhe say yhu mervalys gretly that my men be my will and assent has brenede ye toun of Berwike ye qwhilk is wythin Scotlande and other places in Inglande in brekyng fully of ye sayde trewis. I understand that giff

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* Wyntoun, vol. iii., p. 17. † 'Rot. Scot.,' 1383. ‡ High.

yhour hee Excellence war clerly enfourmyte of ye brennying slachter and takyng of prisoners and Scottis schippis that is done be your men to Scottysmen w^th^ ye saide trewis in devers places in Scotland before ye brynnyng of Berwike ye qwhilk skathis our lege lorde ye Kynge and his liege has pacientlye tholyte in ye kepying of ye saide trewis and chargit me til aske and ger be askyte be my deputy redress tharof, ye qwhilk my depute has askyte at dayis of March and nane has gottyne me think o resoune yhe sulde erar put blame and punicioun to ye doarys of ye saide trespas done agayn ye trewis in swilke maner, and callys thai rather brekare of ye trew than me that has tholyte sa mykylle injur so lang and nane amends gottyn. But it is like that ye gret attemptatz that yhour men dois agayn ye trewis is well concelyte fra yhour audience, for I suppos and yhe wist it yhe wold of yhour hee worschipe ger it to be refourmyte and redressit as ye cause requiryte. For lang befor ye bryning of Berwike yhour men com within our lorde ye Kynge's awin proper lande of Arane and til his Castell of Brathwike and brynt his Chapelle and other diverse places of that lande and toke and rawnsomde ye capetaine of ye sayde Castell and slew his son and heryde al thai mycht ourtake; And alsua thai had takyne befor that tym certayne Scotts schippis chargit with marchander and ye marchands tharof in ye contrer of ye said trewis; of ye qwhilk reparacioun and redress has bene askyte befor ye brenyng of Berwike and nane gottyn, and qwhar yhe say that Berwike that stande in Scotlande ye qwhilke toun yhe call yhouris in yhour saide letters and certayne lands of yhouris wythin Ingland was brende be my men be my will and my assent (brekand ye trewis in my defaute and nocht in yhouris and in ye contrar of my athe) parts I answer in this maner that qwhat tyme it like to our lege lorde ye Kyng to yhour hee Excellence to ordane redress to be made be his comisaris and youris of all attemptatz done of ather syde. I sall wyth ye helpe of Gode mak it well kennyt that I haff trewly kepit my athe and ye trewis as apperys to me of resoun. And qwha ever enfourmyt yhour Excellence that I had broken my athe it had bene fayrar for him to haffe sende that quarell in to wryte under his selle and till haff tane answer greable as apperit to him under my selle agayne, than sua untrewly in my absence till enfourme yhour Excellence. For I trayst he has said mar in my absens than he dar avow in my presens. For nocht to displece yhour honour learys (liars) sulde be lytille alowit wyth ony sic worschipfull Kyng as yhe ar; and qwhar yhe say in yhour saide lettres that yhe desir rather amends of attemptatz done agayn yhour trewis than ony man was done tharfor. To that I answer in this manner that qwhen yhour sayde lrēs come to me oure lorde ye Kyng was passit in ye north partis of Scotland, and I with all gudly haste sende yhour lettres til him, of ye qwhilke at ye makyng of yir lettres I had none answer. Neverthelast qwhen I hade understandyne yhour lrēs I gert cry in diverse places ye truce to be kepit, traystand that it suld be sua done on ye tothir parte aftyr ye qwhilk crye yhour men of Inglande has rydyne in Scotlande wyth gret company like in fere of were and heryde Lawadyrdalle, Tevydale and a part of Etryke Forest, ye qwhilk at ye makyng of yir lettres was tholyte and nocht done tharfor. And giff ye trewis sall stande it lyes to yhour heenes to see for chastysing of trespassouris and for amends of attemptatz done and that be tym. And qwhat yhe vochesaff of yhour heenes to do twychand ye forsayd materis yhe wold certify me to your letter wyth all gudly haste. He Almychty prynce, ye Haly Gast haff in his yheimsell ever more.' *

There is no doubt about the ability of this letter, and of its special pleading; neither does it leave any doubt about Berwick having been burnt in that year. Later in the year the Scots gained possession of the castle, it is said by bribery. Northumberland's Deputy-Governor suffered himself to be bribed to deliver up this stronghold to the King of England's enemies. The King, and especially

* 'Excerpta Historica.'

Lancaster, who still nursed his wrath against the Earl, were angry at the loss. Northumberland was summoned to appear at London to answer for his remissness of duty. He preferred to remain in the north ; he said the marches needed his presence. He knew, on the other hand, his going to London might involve the loss of his head. But gathering from the tone of the King and Parliament that they were in earnest, the Earl immediately set himself to recover Berwick. The weather was too unpropitious to lay a regular siege, so he bribed the Scots with 2,000 marks to give up the castle, which was done without delay. The charge against him, at this time, of want of fidelity to the King was groundless, and the King, after this action, pardoned and restored him to his favour.

In the opening months of the next year, when quietness once more prevailed in Berwick, the King was anxious to repair the ravages made by the Scots soldiers when in the early part of the past year they burned the town. In January Commissioners were appointed to report on the state of the fortifications, and to inspect the men-at-arms and archers in the garrison of Berwick. In March the inhabitants were asked to repair the damages out of the following resources granted to them by the King: viz., a small custom of that town put into their hands to collect and employ ; the revenues of the horse-mills for four years ; the ferm of the town for this year, and the half of it for two years more. And further to encourage people to dwell in town, all lands and tenements laid waste by the war were to be given to whosoever would occupy them, and the soldiers, men-at-arms, and archers who had entered into the houses, and were now inhabiting them, to the great hurt of the burgesses, were ordered to pay rent for their houses, which was declared the right thing to be done, and to the burgesses was granted the sole right of selling merchandise and victuals of England to the Scots during the truces.

In this history the battle of Otterburn does not fall to be described. But an odd circumstance arising out of that battle shows the manners of the age, that though they were rough and uninviting, yet they were not devoid of chivalry. Sir Matthew Redman, Deputy-Governor of Berwick under the Percys, was of a valorous and bellicose nature. He it was who shut the gates of the town in the face of the Duke of Lancaster. He joined the Bishop of Norwich in an expedition to Flanders on behalf of Pope Urban against Pope Clement, and now always ready for fight, he hastened to the fray at the famous battle of the Chevy Chace. Along with Sir Robert Ogle, he was appointed to command one of the divisions of the army. When the destinies of the day, or rather of the night, were decided against the English, Redman rode off, as may be well imagined, in no amiable mood. Sir James Lindsay, chief of the clan of that ilk, had likewise

taken a valiant part in the battle, and was close by Douglas when he fell. Noticing Redman ride off, Lindsay immediately pursued and overtook him. After a brave contest for liberty he at length succumbed, and became prisoner to Sir James.

Sir Matthew said, 'Lindsay, I yield me.'

'Rescue or no rescue?' queried the Scot.

'I consent. You will take good care of me.'

'That I will,' said Lindsay, 'and for a beginning, what shall I do with you?'

'I wish,' said he, 'that you would allow me to return to Newcastle, and by St. Michael I will render me at Edinburgh, Dunbar, or where you will in Scotland.'

'I am willing,' said Sir James; 'let it be at Edinburgh, on the day you name.'

Such was the chivalry of the period that it was perfectly understood that the bargain was inviolable, and would certainly have been carried to an honourable issue, had not a strange adventure overtaken Lindsay. As he was returning to his army he lost his way. He came at last to a path which he thought was the right one. It was the direct road to Newcastle, on which he very soon met the Bishop of Durham coming too late with a contingent of soldiers to Percy's aid. Sir James unwittingly and unsuspectingly fell a prisoner into his hands, and was actually in Newcastle before Redman, his own prisoner. Redman having noticed Sir James's squire on his arrival, obtained the news of Lindsay's misfortune. He called upon him, and saluted him:

'What has brought you here, Sir James?'

'By my faith, Redman, ill-luck! I believe there will be no need for your coming to Edinburgh to obtain your release; we can finish the matter here, if my master consent.'

'We shall soon agree to that,' said Redman. 'But you must come and dine with me.'

'I accept your invitation.'

Froissart, who relates this story, adds 'that these two knights did rally each other, and bandy words of merriment.' The English knight, "Little did I think to find my master here." "Such," replied Lindsay, "is the chance of arms. As little thought I last night of gaining so little by chasing the English."'

This Governor of Berwick would wile away many a winter's night by relating these strange adventures.

We hear no more of Berwick's outward and military history till Richard was deposed, and Bolingbroke assumed the reins of power as Henry IV., King of

England. During this interval Berwick gained a breathing-time to set its house in order. In what state the streets were kept at this period it is impossible to say. In after years the subject becomes plain enough. Now, all information is fragmentary. In 1387 an order was issued by the King, conferring on the burgesses the right of levying taxes upon all goods entering the town, for reparation and emendation of the pavement of the town. Previous to this, there had evidently been an attempt at paving. The taxes or tolls were to be levied upon goods imported and sold in the town; live stock were to be charged so much a head, and general merchandise so much a horse-load, or so much by weight and measure.* These tolls were to be levied for one year, after which they were to cease and be wholly deleted. Again, in 1388, the inhabitants were further favoured by being allowed to trade to Zeeland, with two ships named the *Godyere* and *Holy Ghost*, under their respective masters, Thomas Crovey and Thomas Clark. This privilege was conferred because the burgesses had been at great expense and trouble about the fortifications, and, to help them still further, they were to be allowed a certain custom called the 'halfpenny toll,' another certain custom of ships, along with stallage and fines of court, from this date for four years. They were allowed forty marks out of the Royal Exchequer, with which they were competently to repair the wall near the eastern part of the Hospital called the 'Domus Dei,' now lying completely flat. This was the year of Otterbourne, at which Hotspur, who was Governor of Berwick, and Assistant-Warden, along with his father, of the East Marches, was taken prisoner. Thomas, Earl of Nottingham, Earl Marshal of England, superseded father and son in both offices. His appearance must have been hailed with rapturous delight. It seems as if especially the soldiers danced for joy that the Northumbrian family had no longer opportunity to tyrannize. They were commanded by royal order not to destroy, nor to burn, nor to waste house, garret, or lodging, especially on the arrival of our dearest Earl Marshal, coming to these parts as Keeper of the Town. The soldiers, roused up to mischief in their frolics, had been in danger of giving a rather warm reception to their Governor. Although so favourably received, he did not long enjoy his position, for in 1390 the offices were again conferred on Northumberland, and upon Hotspur, who was obliged to pay so heavy a sum for his ransom that Montgomery, his master in the fight, built the Castle of Penoon in Ayrshire with the amount.† But, while the Earl Marshal was Governor, the burgesses obtained a new concession, about which they were afterwards very tenacious. When merchandise was being shipped from England to Scotland all goods were to be landed at Berwick, and then either

* For list see Appendix III.

† Tate's 'History of Alnwick,' vol. i., p. 161.

transhipped or reloaded and sent by sea or land to their destination. The object of this curious transaction was to foster the trade and increase the customs of the place. Even after this indulgence the burgesses were not allowed to trade unmolested. The wool trade was again interfered with; all light taxes were abolished, and the ordinary English tax demanded. Moreover, 3s. was laid on every hogshead of wine, and 12d. on every pound-weight of goods except wool, which was already paying too heavy a tax. A change occurred after three years—the 12d. tax was abolished, and the burgesses were allowed to import, free of duty, 42 dozen of cloth, 6 hhds. and 7 pipes of wine, 60 saddles, 12 dozen of amber vases, 18 worsted cloths, 1 chest with barks and candles, 1 barrel with cups, and 2 barrels of various merchandise.

The castle and fortifications were still defective. A commission was appointed, in 1396, to inquire into their defects from the beginning of Richard's reign, and of all expenses laid out on the same. The castle in that year was very ruinous. The result of this commission is not known. No trace of the document has been found. The continued ruinous state of the walls is a mystery, in the face of the splendid building which the masons of that period could put together. Probably it was only the facing-stone that had been worn away either by water or by the strokes of battering-rams.

Bolingbroke came to the throne in 1399. He continued all the Berwick officials, and confirmed their appointments. The same regulations as in Richard's reign served to guide the Custom House officers in levying the taxes on wool. The three divisions were still the same: (1) Between the Tweed and Coket; (2) The English districts in Scotland; (3) The purely Scotch districts. Henry IV. had so much more difficult work on hand that the constant intermeddling with the trade ceased. In ordinary circumstances, the trade in wool ought now to have largely increased, but the military display and activity grew rapidly from century to century, and proved a powerful counteracting influence to the natural development of trade. The Northumberland family had for a lengthened period (since 1333) held the Governorship of Berwick, and Wardenship of the East Marches. The Earl, in company with Neville, Earl of Westmoreland, headed the conspiracy against Richard II., and they set Henry IV. on the throne. For services rendered, Northumberland was suitably rewarded. Amongst other honours showered upon him, he was made Constable of England, Warden of the Western Marches, Sheriff of Northumberland, and continued in his office as Warden of the East Marches, while his son Hotspur was kept as Assistant-Governor of Berwick. But, ambitious, haughty, overbearing, these nobles could brook no opposition. A

cause of quarrel soon arose with the King. Hotspur, among the reasons of discontent, asserted that he had not been fully satisfied of his wages as Governor of the Border town, nor his father as Warden of the Marches. He, in short, demanded £20,000 in redemption of the King's liabilities, a sum the King could not pay. The King knew himself to be a usurper on the throne, and dared not ask a subsidy, and he had no other means of gratifying Hotspur's intemperate demands. Stirred by undercurrents of hatred against the very King they themselves had elevated to the throne, the Percys again raised the standard of rebellion, and proceeded immediately to open war. They likewise liberated Archibald, Earl of Douglas, who had been taken prisoner at the bloody field of Homildon, on condition that he would assist them in their rebellion, and in their attempt to put Mortimer upon the throne. Douglas was promised Berwick as a free gift in case of success. The battle-field of Shrewsbury shortly afterwards saw the complete overthrow of the scheme, the death of Hotspur, the captivity of Douglas, and the enforced flight of the Earl of Northumberland, who had been prevented by sickness from fighting with his son on that fatal field. Summoned to the King's presence, he thought it prudent to surrender. Putting on a bold face, he presented himself to the King at York, and meanly blamed his own son Hotspur for his rashness in fighting at Shrewsbury. The old Earl was pardoned and kept in custody till early next year, when he was liberated and received lenient treatment from Henry. The Castles of Berwick and Jedburgh were actually restored to his keeping in November of that year. But the spirit of revolt was unquenchable in the old man; he joined a new conspiracy to set the Earl of March upon the throne. His lands and possessions were once more confiscated, and he and his followers escaped north to Berwick. Thither the King followed with large forces, and demanded the surrender of the Earl's castles as he proceeded. On coming to Alnwick, he summoned it to surrender; but the Captain called out, 'Wynne Berwick ones, and you shall have your entent.' The King passed on to Berwick, which Sir Wm. Graystock attempted to hold; but the first shot from a cannon of large bore demolished part of a tower, and caused such consternation that the garrison immediately surrendered.* The Earl, before this took place, had been asked by the King to deliver, or cause to be delivered to royal commissioners, the Castle of Berwick as well as the Percy Tower, the seal called Coket, and the annual rent of 500 marks, payable to him out of the customs of Berwick.† But instead of obeying the order, he left the castle in

* Tate's 'History of Alnwick,' vol. i., p. 173.

† 'Rolls of English Parliament,' vol. iii. 670 a. Percy Tower was situated at the entrance of the castle from the town. Formerly it was called the Douglas Tower. Percy Tower continued to be its name as long as the castle stood.

charge of Graystock, and set out for Scotland, taking with him the infant son of Hotspur. This child was cared for at the Court of Scotland. When the young Scotch King, not long after this, March 30th, 1405, was going to France for his education, young Percy was on board as his companion. Both were taken prisoners by Henry, and kept for a time as captives. This King's successor, the brave and energetic Henry V. of England, took a liking to this young scion of a proud English earldom, and very soon restored him to his lands and honours. To return, the taking and re-taking of Berwick at this time seem simple enough, but we learn from the 'Rolls of the English Parliament,' that when the old Earl came forth from the Yorkshire conspiracy,

'That the said Henry Percy, with several of his accomplices, came into the town of Berwick-on-Tweed, and by force took the keys of the same town from the Mayor and burgesses, and delivered or caused them to be delivered to the Scots—enemies of our lord the King, and of his kingdom of England—which Scots, by comfort, favour, and counsel of Henry de Percy and his accomplices, robbed and pillaged the said town and the inhabitants of it, and afterwards set fire to the same town.*

Holinshed adds that Berwick was sacked, and every house in it burned save the Friaries and the churches. This was done by the Scots when Northumberland aided them in getting possession of it. That this burning of Berwick was severe, there remains little doubt, for, in December, 1405, 1,000 marks were given by the King's order to the burgesses from the customs of the town for emendation and reparation of the houses and habitations destroyed by the rebels and enemies.† Northumberland's rebellions came shortly after this to a sorrowful end. Hiding for a time in Scotland, he was again drawn into active opposition, met the royal forces at Bramham Moor, and was there slain. Treated as a traitor, his body was quartered, and a portion of it suspended at Berwick, the scene of so much of his active life. It was soon afterwards removed by the Countess and reverently buried. The Percys had drawn others besides themselves into rebellion. The King had granted, in 1404, certain customs of the Water of Tweed, as well as the toll of the town, to one Alexander France, by the King's special grace and in recompence of past labours and services rendered, and of those to be rendered, to his royal master: 'We grant him the petty custom of the Water of Tweed, and the toll of the same town, with all conveniences and profits pertaining to said toll and custom, which may amount to £10 or more.' This grant was to continue as long as it should please the King.‡ But France's loyalty had been of short duration. Assisting Northumberland in his rebellion, he was deprived of his profits in 1405 for disobedience, and their exits were now transferred to Lawrence Everard, a

* 'Rolls of English Parliament,' vol. iii. 6056. † 'Rot. Scot.,' 1405. ‡ *Ibid.*

soldier under the King, a soldier wounded and no longer able for active duty.* With all their warlike propensities there was a drop of the milk of human kindness in the blood of these old Angevin Kings. In 1340 Edward III. committed the custody of the gate of the Blessed Mary to a soldier, Richard Danseye, who had rendered great service in the Scots wars, and had received injury and loss from being taken prisoner by the enemy. Richard was not to be removed for any cause, until fault has been first proved against him in the King's presence.†

The Percys, being now represented by a mere youth, could no longer hold in their own person the high offices on the Borders that had been so long established in their family; the King had, in short, as early as 1403, conferred the Wardenship of the Marches and the Governorship of Berwick upon his young son John, afterwards Duke of Bedford. He was only fourteen years of age when appointed, and in 1405, when he had served the office for two years, a grant of £1,000 was given him out of the tithes of York and Canterbury, for the safe keeping of Berwick and the East Marches. This liberal treatment did not last long, for we have from his pen, in 1409, a very strongly-worded letter to his father the King, urging payment of arrears and the propriety of putting the fortifications of the town into a proper state of repair. He says:

'If any power or ordnance of the Scots or other shall be directed to assail the town and Castle of Berwick, they cannot be safely guarded, because they are neither repaired, stored, nor victualled, nor in any manner defensible, more particularly on account of the ruinous state of the walls and weakness of the gates and bridges, insomuch so that no soldier or burgess can remain, unless better order be made for the repair and storing of the same; and there is so much the greater doubt that any enterprise to take the same may suddenly be successful, because the famine will be extreme and would extend to many persons if such an event should happen, which God forbid. Therefore, for the love of God, and for the honour of the King, and for the surety and safeguard of the town, castle, and marches aforesaid, be pleased to provide a speedy convenient remedy for avoiding the perils and mischief which will certainly happen, and which cannot in any manner be avoided unless provision be made in all haste possible for the same; also be pleased to consider tenderly the suffering and distress which the soldiers of the Warden in the said town of Berwick have long suffered and endured, whereof it is piteous to hear so much; as you already do well know that a great part of them are on the point of famishing. When they venture forth to obtain sustenance, they are attacked by the enemy and taken prisoners, to their final destruction, and all for want of payment of their wages. Also the writer himself in contriving to save the said town has oftentimes been, and still is, on the point of being left desolate; and for the cherishing and refreshment of the soldiers has parted amongst them the substance of his revenues which he has for maintaining his own proper state, and hath also converted his own silver plate into money to distribute among them. He and his friends are in such deep debt that unless speedy payment be made, the damage and loss will be great, as well as loss of fame, honour, and confidence, and the final destruction of the garrison aforesaid. He appends a statement of debt: Due to Warden and soldiers to Candlemas last past (1409), £14,174 17s. 10½d.,

* 'Rot. Scot.,' 1405. † *Ibid.*, 1340.

besides £188 5s. due to him for fee for the defence of Castle of Berwick. He prays for relief of soldiers. It is a pity to hear their distress. The Warden has no certainty he can be longer than March 17th. So, for the love of God, let provision be made for avoiding this impending danger, and that the good fame and honour of the Warden may be protected and preserved."*

Later in the same year, the young Warden urged still more persistently the repairs of the town:

'Remedy this state of things, else relieve me of the Wardenship. Also give directions for repair of walls, and for repair of town and Castle of Berwick. The walls in two places are level with the ground, one place 60 rods and in another 40. And in the castle, at the entrance at the postern behind the hall, 7 rods and more, and the Constable's Tower and that quarter of the wall are thrown down with the King's cannon, which used to be placed there, so that no man can use them in the wall. Let all this be done before winter, for danger is greater then. Unless this is done the garrison cannot remain in town. Also let this town be supplied with cannon, ammunition, artillery, victuals, and other stores necessary and defensible, by order of the King, to resist the malice and invasion of the enemy if occasion should require, considering that at the time the town was burnt no article of defence was saved for the same. Soldiers have not been paid for one and a half years, and they have suffered great distress by reason of the burning aforesaid.'†

The Wardens complained in this strain over and over again. No pay, starvation, necessity to pawn anything and everything. Probably the present Warden was worse treated than his fellows; the King seems to have taken advantage of his son. The town was ruinous enough, as these letters show—walls broken down in several places, town and castle in great want. Stranger than all, it seems that little or no attention was paid to the urgency of the Warden: for five years later, in 1414,‡ he again wrote:

'The walls of the town and castle are so ruinous, and in many places fallen to the ground, and the gates and drawbridges so weak that they are unfit for defence. Neither is there any other store of cannon, gunpowder, armour, artillery, nor victuals, proper for defence of the same. The whole was taken away at the late rebellion of the Earl of Northumberland, without any amendment or reparation made relative thereto. Thus are the town and castle, as it were, more desolate and daily in danger of being taken by the enemy at their pleasure, saving the grace of God and the order taken by the Warden for the safety of the same, at all times of necessity, at his insupportable expense. The town has remained long in this condition, the soldiers and burgesses suffering more than any other save in time of siege. For there is yet due to me and the soldiers, besides what has passed to me by ordinance, £13,099 9s. 6d., and thus has the Warden been obliged to sell and mortgage a great part of his estate, to coin a great quantity of his plate, or to pledge a great part of his poor jewels; the burgesses and soldiers to whom this money is due say that if not paid they will leave this town desolate. He prays speedy remedy. He has been Warden for ten years, and never received a penny reward; not like other keepers of the town, Percy and his friends, who received £1,000 a year and more for keeping it.'

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* 1 St. Coll. ex Vesp., F. vii. 1, 75 a.

† 2 St. Coll. Vesp., F. vii., No. 60, F. 62, British Museum.

‡ The date of the precise day is not given in these letters.

This was not the first strong remonstrance to amend Berwick. Northumberland and his son Hotspur, in 1401, wrote thus to the King:

'They acquaint the King that the walls are faulty both of the town and Castle of Berwick. In several places three or four rods together are fallen down. The gates are old and can defend nothing, and the fosses are broken. All which faults have been shown to Robert Hatfield, your Controller. May it please you to amend these faults, and to send a reasonable sum of money due to your Chamberlain for this purpose.'*

It is strange that this ruinous state of the town was allowed to continue, since their enemies, the Scots, were threatening them always so closely. The wars of the Borders not only harmed the town of Berwick, but the whole district. Two favourites of the King, William Thorp and Robert Tanfield, received a grant of two manors, Edrington and Lathame, and fisheries, on the English part of Scotland. The manors are described in the grant as now lying devastated and ruinous, and so they have lain as long as memory exists.

In 1412 the King began to soothe the burgesses by granting for ten years the right of buying and selling merchandise where they pleased, and by allowing them a general tax of 13s. 4d. on every sack of wool, every last of hides, and every 240 pelts. This grant was declared to be given because of the destruction of goods and chattels of the burgesses from day to day by the Scots, and the great devastation and weakening of the town, as well as for the increase of men dwelling in it. It was given, likewise, for the better continuance and increase of the King's custom. The young Warden had no longer to endure the poverty of his position, for Henry V. being now raised to the throne, John had the high office of Guardian of England conferred upon him, and Edward, Duke of York, was appointed successor in the minor offices of Warden of the Marches and Governor of Berwick. In 1414 there was a grand tournament in the town, which it may not be too much to suppose was held to celebrate the change of Governors. We have but scant information concerning it, for Wyntoun no longer accompanies us with his life-like descriptions. From the 'Scots Rolls,' 15 October, 1414, we learn that a safe-conduct was given to William Douglas of Drumlanrig in Scotland, Knight, with six persons to be named by himself in his company, to come to Berwick and do feats of arms there with John Clifford, Knight, with other six persons of England to be named by him, with horses, armour, etc., and certain other persons to the number of eighty horsemen. Here is the making of a great and gay tournament; but no details are extant—the scene has passed away for ever.

The Duke of York was superseded in his government of the town, on

* Vesp. F. vii., F. 70 a. The month is not given in the letter.

1st March, 1417, by the Earl of Northumberland. This son of Hotspur had been taken prisoner along with the King of Scots. If this be true, and there is no good reason for calling it in question, he had returned to Scotland again; when, or how, or why, does not seem clear to any historian. But it is certain that, about this time, negotiations were entered upon with Albany for an exchange between Murdoch, his son, who was a prisoner in England, and young Hotspur. These negotiations proceeded without any definite result until the end of the year 1415, when the arrangements were completed, and the exchange of prisoners actually took place on the Calf Hill, near Berwick. No sooner was the exchange effected than young Henry, who had previously been restored to his earldom, even when a prisoner in Scotland,* was made Warden of the East Marches and Governor of Berwick. Albany's policy underwent a complete change on the return of his son Murdoch to Scotland. He kept friendly with the English King as long as his son was in the power of England, but now, when Henry V. was engaged in his French wars, he openly brought an army down upon Berwick and Roxburgh to besiege or at least threaten both; but an imposing army from the south under Bedford frightened Albany, who withdrew after accomplishing so little, either for glory or for profit, that the expedition got the popular name of the Foolish, or Fools' Raid.† When Albany retired from the south of Scotland, a most destructive raid was made by the English, led by Sir Robert Umfraville, Lieutenant or Deputy-Governor of Berwick, throughout all that district. He seems to have burned Hawick, Selkirk, Jedburgh, Dunbar, Lauder, and Lauderdale, as well as the forests of Etryke, Jedburgh, and Teviotdale.‡ The Earl of Northumberland now set about putting Berwick in order, to enable it to resist the Scots. Early in 1418, victuals and all necessaries were sent on to the town, and labourers for the castle were sent in the same year. It was likewise ordered that vehicles be seized for carrying torments, ballistæ, and other engines of war to Berwick: 'Two strong and sufficient carts and so many horses to draw them as may suffice to carry cannons, ballistæ, bows and arrows, and other artillery for fortifying our Castle of Berwick.' It was none too soon, for the Scots were determined to be troublesome. However, Hardyng says: 'There is no lord in Ingland that may defend you agayn Scotland so well as he, for they (the Percys) have the *hertes* of the people by north, and ever had; and doubt it not the north part be your true liege-men.' In 1421, these northern and burdensome offices were conferred upon the Earl anew, and he was now to receive

* Tate's 'History of Alnwick,' vol. i., p. 177.

† Burton's 'History of Scotland,' vol. ii., p. 395.

‡ Hardyng's 'Chronicle,' 1417. The only reason given by Umfraville for his conduct was, that he considered he should not be idle when his master was so busy in France.

£5,000 per year in time of war, and the half of this sum in time of peace. Next year Henry V. died in France, and was succeeded by his son, a minor. The country was left to the government of a regency, when the Scots considered it a favourable time for once more assaulting Berwick. Murdoch, now the Regent of Scotland, approached Berwick and Roxburgh with considerable force, but made no impression on either of the towns or fortresses. The expedition ended much as the former had done, and was contemptuously called by the English the 'Dirtin Raid.'* The Council of Regency in England was now favourable to the restoration of the Scottish King, and he was in March, 1423, accordingly delivered to the Scotch Commissioners at Durham, and is said to have come with a great train of English lords and ladies to Berwick.† He was liberated for a ransom of £40,000 of good English money, which was to be paid in equal parts in the next six years. Out of the first payment that was made the Earl of Northumberland, as Warden and Governor, received his salary, as well as the wages of the soldiers maintained by him for defence of Berwick and the East Marches. Money was not plentiful in England. The French wars had greatly wasted it; for again, in 1427, the Earl received £2,000 from the Treasurer of Calais for wages to himself and his men-at-arms. 1,000 marks from the same source were at this time paid to John Skipton, clerk of the works, to be laid out in repairs of castle and town. In the same year, Skipton was made overseer of the works, with power to employ workmen and to obtain all things necessary, viz., hewers, carpenters, masons, plumbers, tilers, and other workmen, also stones, timber, tiles, glass, iron, lead, and carts for freightage of the same. Robert of Ogle was at this time Deputy-Governor of Berwick, for, in the year preceding Skipton's appointment, he deputed his work to Henry Swinburn in these terms of indenture:

'Thys indenture, made the 4th of Appryll, the fourth yere of our lord Kyng Henry VI., beres wytnes that I, Robert of Ogle, Knight, have put the safgarde of the Castell of Berwyk to William of Swynburne, Knight, safely to kepe with the Percy Tour unto the fest of All Hallow next to come efter the date of the present, and the said Sir Robert Ogle sall paie or make to be paid to the said William Swynburne, or his attorne, for ever, ilk threttene wekys of the said terms fyfe and twenty ponde of Inglyse mone lawfull. In wytnes of the whilk to thys indenture the foresaid Robert and William thayre seals enterchaungeable to these indents same day and yere aforesaid.'‡

It would be a strange transaction nowadays to allow a deputy to depute his work without the avowed knowledge of his superior. It is seldom, indeed, at this period that we get even a glimpse into the trade of the town, or into any of its doings.

* Holinshed, 1422.

† *Ibid.*, 1423. He left Durham on the last day of March or 1st of April. 'The English who accompanied James I. to Scotland introduced luxury and gluttony into Scotland, and the use of baked meats for the first time.'—Henry Wardlaw, Bishop of St. Andrews', speech, 1430.

‡ Swinburne's 'Miscellaneous Characters,' p. 34.

This may fairly be described as the 'dark age' in respect to our knowledge of Berwick. In the fourteenth century our acquaintance with its trade and fortunes is sufficiently vivid to give us an understanding of the state of the burgh; but in the fifteenth our information is very meagre—only a stray light here and there penetrating the darkness. When we come to the sixteenth and onwards, there is a superabundance of materials to choose from, to enable us to illustrate the doings of our ancestors. Meanwhile we grasp at everything that occurred. The Berewicenses had, in 1429, considered they were to be entirely ruined by being forced to use Calais as their staple of exchange and trade. Here is an argument attempting to overthrow this false idea:

'For as moche as grete noyse renneth by men of ye Newcastell and Berwyk, yat if yai brought yair wolles to ye staple at Caleys yai shuld be undone and destroid of which ye contraire is soone and well proved for ye Maire of ye said staple and his feleship will geve yaim for ye quantite of yair wolles and felles like as has bene answered yere of oone yere with anothir of custum and subsidy as moch as yai have bene solde for in Flanders and in oyer place whair yai repaire to be paied at reasonable termes in gold and silver to be brought into yis Roiaume. Wherefore now all licenses to export anywhere shall be repealed. In consideration of ye effusion of alle ye roial bloode, and ye greete goode yat hathe bene spent upon ye conquest of ye said toun, which every trwe Englishman ought to have in full grete cherte and tendernesse.'*

The argument to support Calais as the staple for Berwick wools must be weak when the writer had to appeal to the loyalty of the traders, and to the amount of royal blood shed in its conquest. The argument was not strengthened by the royal blood shed in its support; for the burgesses of Berwick got permission shortly afterwards to export whither they pleased, and to make the best bargain they could in any open port of Europe.

The English King now made a proposal to James of Scotland (1432) that, if adopted, would have changed the current of all the future history of the two nations; but, like other proposals of a similar nature, it was rejected by the Scots Parliament with scorn. Henry VI. offered to deliver up the old Scotch counties of England —Northumberland, Westmoreland, and Cumberland—if the Scotch King would break with France, and join him in a league offensive and defensive. On the refusal of this offer it is said that the English ambassadors left Stirling without leave-taking.† And then Berwick and the Borders once again suffered from the outbreak of the war spirit of the two nations.

James, King of Scotland, sent about this time the Dragon Pursuivant to the King of England with this complaint:

* 'Rolls of English Parliament,' vol. iv. 360 a.

† Balfour's 'Annals,' p. 161. This story of Balfour's is suspicious. There might have been an attempt at peace, but it is most unlikely that any such price was to be paid for it.

'The Scots King, at the instance of the Earl of Mortaigne, had granted favors to the inhabitants of Berwick until the next Parliament, which favors he caused to be kept and performed. Yet the Marshall and soldiers of Berwick had come into his lands in form of war at divers times, and had foraged and burnt to the great destruction of his people, under the pretence, firstly, that they had orders to do so, notwithstanding the ordinance made by the commissioners; and, secondly, because certain cattle were taken from them by the Scots. . . . .

'The King of Scots therefore requests the King of England to appoint persons to settle these disagreements and to cause the inhabitants of Berwick and Roxburgh to refrain from these mischiefs. For it was notorious they should so behave. While he was loading them with courtesies and favors, they were robbing, slaying, burning their lands.'*

This is all very plain and fair, but let us hear Henry VI. on the other side:

'Instruccon geven by the King unto the Lord Fitzhugh and the King's Commissioners for the next day of March.

'Item: for as much as the inhabitants of Berwik and Rokesburgh hath bene robbit and despoiled of their bestes and godys, and grete and notable harings slaghters of men suffered within the boundys of Berwik and Roxburgh, the whiche boundys the King of Scottes disclamys, etc. Whedir the said inhabitaunts shall be compellit to mak reparacon of attemptats doon by them on the ground of Scotlande vpon los than [unless] the King's subjects of Scotland repair the attemptats doon by thaim within the boundes of Berwick and Roxburgh. In this article the King wills that the said inhabitants of Berwick and Roxburgh be not compellit to mak a reparacon to the party of Scotland for the causes aforesaid upon loss than the said party of Scotland make reparacon of attemptats doon by thaim, within the said boundes of Berwyk and Roxburgh as resoun demandeth and requireth.'†

At the same time that this letter was written he instructed the soldiers of his town of Berwick—

'That he wol and praieth them that they kepe wache and warde in the said town, and do all her *devoirs* [duties] as to the kepyng and saufgard of the same, lyk as they haue had in charge hereupon under his cousin the erle of Northumberland, the which erle laboured and laboureth daily for paiment of their wags of the which as sone as any money may growe to the paiement of the same the Kyng wol agrement be made, and therevpon in all goodly haste had that vpon reson then shal holde him content.'‡

The King of England, or at least his counsellors, would be very bold in the first of these notes, when, at a day of truce, they preferred their commands before the Commissioners; in the second, calm and cunning counsel is given that the inhabitants of Berwick hold themselves in readiness for all emergencies: the Scots, their enemies, are ready, and mean mischief. The whole of this correspondence arose out of the raid of the Scots of the 3rd July, 1433, when they assembled in great force before Berwick, and then preyed upon the country, and took away with them '60 horses and 600 nowt.' The Kings continued for a year or two to discuss the question of reparation, when at length, in 1438, a truce was agreed

* 'St. Coll. ex Vesp.,' F. vii. c., p. 49.

† *Ibid.*, p. 49. ‡ *Ibid.*, p. 57.

upon, and acted on, as far as the keepers of the Marches on both sides were concerned. It came into force after a threatening of Berwick by the King of Scots in 1436, and an appointment of commissioners to observe his movements, and restrain them, if possible. The commission consisted of Henry, Earl of Northumberland, Richard, Earl of Westmoreland, Thomas Clifford, Thomas Dacre, John Graystock, George Latymer, William Fitzhugh, Knights—sufficiently notable men to compel the Scots to quietness for a while. This truce, ratified on 1st May, 1438, lasted seven years, and was continued afterwards for stated periods. In this truce, for the first time, some attempts were made to define the limits within which the soldiers and others, residing in Berwick, in the King's name, should have grass and hay for their beasts, as well as fuel and other necessaries. There is no doubt that to this lack of proper definition much of the quarrelling between Scotch and English may be attributed. There was now a boundary-line laid down—the same Bound Road that is now so well known between the liberties of Berwick and Scotland. We immediately reach smooth water when the truce is made; and, for some years, affairs remain in a more than usually stable condition. In 1435 we notice that Alexander Lermouth succeeded Skipton in his offices at Berwick; and Lermouth was again followed, in 1448, by John Lematre, who received £400 to expend on Berwick's fortifications, on the inquisition of twelve honest and legal men of Northumberland. The truce lasted till this year, when it was again broken by the fierceness and turbulence of the nobles. In the war that ensued Berwick fortunately escaped, while Alnwick was burned.*

The Earl of Northumberland, who as a young man charmed Henry, continued to be a royal favourite. He was engaged in many important Government appointments, and was frequently absent from his northern Wardship of the Marches and of Berwick. Hence we have frequent deputies during his tenure of office. In 1441 his son, Henry Percy, Lord of Poynings, as he was called, was appointed Warden of the Marches, and Keeper of Berwick Castle, at a salary of £5,000 in time of war, £2,500 in time of peace; and his son was appointed Keeper of the Town, at a charge of 200 marks in time of war, and 100 in time of peace. These terms and appointments continued till 1452, when the agreement with Percy was renewed; but his salary was to be a stable one of £2,566 13s. 4d., whether in peace or war. This amount could evidently no longer be levied on the Customs of Berwick; for it was now ordered to be gathered in handfuls all over England. From Southampton and Winchester to Carlisle and Berwick were £100 and £50, and various other sums, to be collected from the ferms of these towns. From

* Tate's 'Alnwick,' i. 180.

Berwick there was placed to the account '£37 12s. 5d. per year of the ferm of all burgesses, tenements, mills, lands, of places inhabited as well as waste, and one parcel of land called the Mawdelyn Feld, and the toll called the halfpenny toll, and Custom of Ship, Segage, Mesurage, Bollage, Stallage of Market, and Custom of Salmon Barells, and £20 per annum from certain Customs and Subsidies of the King in the Port of Berwick, and in all the ports and places adjacent to that port.'* In the next year there was a new ordination for the payment of wages to Henry Percy and his son. All this concerning Berwick is left out, and £12 only inserted, as derived from this part of the country, viz., the annual ferm-rent of the fisheries Hexstell, Hoxstell, See, Cademan, and Starte, in water of Tweed, in the March of Scotland. In other respects the order is a repetition of the sessment on many towns over the whole of England.†

The Northumberland family was now thoroughly loyal to the reigning house in England. In 1455, Henry VI., in a letter, thanked the Earl 'for the effectual devoir, diligence, labour, and payn yat ye have put you in, aswel in vitailling oure towne and castell of Berwyk, as resisting the malice of our enemies.'‡ This Earl was killed in the same year in the first Battle of St. Albans. His successor continued to be Warden of the Marches and Governor of Berwick till 1461, when he, too, fell fighting in the Wars of the Roses.

William Douglas, at this period the most powerful Earl in Scotland, was less loyal to his master. He revolted to the King of England, and fought against his own country. For fear that this Earl, after joining issue with the English, should come against Scotland with great force, the Borders were more than usually cared for. The Scotch Parliament instituted for the first time the telegraphic system of 'Lighting the Beacons.' Thus:

'Item: it is sene spedfull that thar be cost maide at ye est passage betwix Roxburghe and berwik, and that it be waukyt [watched] at certane furds the quhilk gif myster be sall mak takynis be balys birnyng and fyre. In the first a baill to be maide be the waukars of ye furds quhar it may be sene at hvme [Hume Castle]. And als at ye samyn waukers may cume to hvme in propir persoun. And thar ye bals to be maide on this maner. A baile [one bale] is warnyng of ther cumyng quhat power whatever thai be of. Twa bailes togedder at anis thai cuming in deide. Four balis ilk ane besyde vther and all at anys as four candills sal be suthfast knawlege that thai ar of gret power and menys. Als far as hadingtowne, dunbar, dalkeithe, or tharby. Thir samyn takynis to be watchyt and maide at Eggerhope Castell ande mak takyn in lik maner. And than may all lothiane be warnyt, and in especiall the Castell of Edinburgh. And thai four fyris to be maide in lyk maner that thai in fyf and fra strivelling est, and the est part of louthiane and to dunbar, all may se thaim and come to the defence of the lande. And thai will not be sleuthfull thairin to be warnyt of thir fyris thai sall wit thar cumyng over Tweide. And than considering thar

* 'Rot. Scot. ii. 355.

† *Ibid.*, ii. 367. Tate's 'Alnwick,' i. 181.

fer passage we sall, God willing, be als sone redy as thai. And all pepill drawe that are in the west half of Edinburgh thereto. And all fra Edinburgh est to hadingtone. And all merchaundys of Burowys to presentlie hoiste quhar it passes. And at Dunpenderlawe and North Berwyklawe balys to be brynt for warnyng of the cost syde of ye see in forme befor writyn.'*

Thus was instituted that system of flashing the news all over the Borders, and south and middle Scotland, to warn of a coming enemy—a system that held sway till the time of the Napoleonic wars of this century. The lighting of the beacons at this latter period is still remembered by some of our oldest inhabitants.†

James, the Scottish King, was the first to make an advance to the Borders. In the year 1455 he threatened Berwick, and must have advanced within easy reach of the town. This order stands on record. John Stanhope, Sheriff of Notts and Derby, petitioned, 10th December, 1455, the King to be allowed expenses,

'Also in assembling c c c persons, in vertue of letters of prive seal to him direct for rescovery of youre towne of berwik, the wheche c c c personez youre saide servant brought to the towne of Doncastre to him gret costez and chargez where youre saide servant had word of with draght of your adversariez fro youre towne of Berwick.'‡

He was allowed £80. James, with his host, had withdrawn upon show of opposition to Roxburgh, where he actually entered upon the siege of that castle.

At this time civil war was raging in England between the Yorkist and Lancaster factions, and James II. made a secret treaty with Henry VI., who was to give the Northern King Northumberland and Berwick, if he would assist him in his cause against the Yorkists. Consequently, we have raids into England by James, continued till Henry was obliged to ask him to desist. Then the Battle of Towton was fought on March 29th, 1461, at which the hopes of the Lancastrians were entirely crushed. 'After this defeat the King departed incontinently with his wife and son to Berwick, and leaving the Duke of Somerset there, he went to Scotland and asked aid of the King. The young King of Scots comforted him, and assigned him a competent place to live in during his abode there. Henry VI., in return for this kindness and friendship, delivered to the King of Scots the town of Berwick, whereof he had possession. Soon afterwards Henry VI. sent Margaret his wife and son to France, to Duke René, her father.'§ Margaret was anxious to gain back power to the Lancastrians. 'She passed over to France in the following spring, and sought help from Louis VI. But all she gained was a loan of 20,000 livres and 2,000 men, of whom Sir Peter de Breze, Marshal of Normandy, the

* '1 Acts of Scotch Parliament,' ii. 44.

† See a humorous and graphic description of the lighting of the beacons in 'John Younger's Autobiography,' published by Rutherford, of Kelso.

‡ Additional MSS., British Museum, 4611, ar. 154.

§ Hearne's 'Fragments,' 291.

best warrior of all that time, took command. She sailed October, 1462, and landed at Tynemouth, or at Bamborough. She re-embarked, was caught in a storm, and with difficulty escaped in a coracle to Berwick; her other vessels were cast ashore at Bamborough. The soldiers set fire to the ships, and sought refuge in Holy Island; but they were assailed by the bastard Ogle and an esquire called John Manners, with other of the King's retinue. Many were slain in the struggle, and three hundred were taken prisoners. Breze, with a few others, escaped to Berwick in a fisher's boat.'* After this, Margaret left her son in Berwick, fought along with her army, laid siege to Alnwick Castle, gained some advantage, but was eventually forced to withdraw. It has been said that Henry VI. gave up Berwick to Scotland. Why he did so, is not quite clear. Several accounts are given of it. Here is one, much of the same import as Hearne's account:

'King James, being but a childe, after he had heard who were sent, was, by the advise of his saide nobilitie, so far from neglecting the request and fortune of King Henry as that by and by he went himselfe to meete him and brought him into his palace, whom, after much consolation that he shoulde with a willing and patient mind beare the event of this late discomfiture, he interteyned with all courtesie, and used both liberally and also honorably all the while he was in Scotlande. King Henry being bounden by this great courtesie, to the intent he might also eyther binde unto him by some benefite the King, upon whose ayde he did presently much leane and trust, eyther els myght diminish the force of his enemyes, delivered up to him, to have and holde for ever, the towne of Barwicke. Yet there is a saying that King Henry did not that willingly, but against his will, constrained thereunto in this extreme miserye, that he might therefore remaine in Scotlande. But, howsoever the matter was lapped up, it is apparent that King James, having receaved the towne, promised King Henry all the favor and furtherance that he could doo any maner of way which he performed after with diligence.'†

Hardyng, in his 'Chronicle,' says, 'The King gave the towne and castell to the Scottes by simple assent of his whole counsaill.' However the transference took place, the town now remained in the hands of the Scots for twenty-one years, memorable as being the last term that Scotland had possession of Berwick. The editor of the 'Exchequer Rolls of Scotland' says, 'There is apparently no extant account of the exact date or particulars of the surrender of Berwick.' In one of the Paston letters, written in May, 1461, Berwick is said to be full of Scots, and a battle with them considered imminent.

The Haddington customs account, rendered in July, 1462, and going back to March, 1461, contains an entry that may perhaps be connected with the handing over of Berwick to the Scots—an item of £3 0s. 2d. as paid to the Keeper of the Privy Seal and other household servants of the King and Queen at Haddington, when they rode to Coldingham to confer with certain Englishmen, supposed to be

* Tate's 'History of Alnwick,' i., p. 189.

† The xxiii.^th^ Booke of Polidore Virgill of the Historie of Englande.

commissioners empowered to deliver Berwick over to the Scots. The same accountants credited themselves at the same time with various outlays expended on Berwick Castle at the time of its recovery, viz., the purchase and direct carriage of a quantity of salt, and the carriage of oatmeal, bombards and artillery, also destined for Berwick, to the Port of Belhaven,* whence the goods were shipped to Berwick. In the contemporary accounts of the Earldom of March occurs a charge of £6 5s. for bringing the Queen's bombard to Berwick from Trinity College; and in the following year a further sum is mentioned of £16 5s. due to him for carriages to Berwick at the time of its recovery.†

From the same source we learn much concerning Berwick in those years in which it was in Scotch hands. The castle was at once put into the charge of Robert Lauder, of Edrington, an important official and soldier in Scotland at that time. He was paid for his work 200 marks per annum, which contrasts rather strangely with the £2,566 13s. 4d. that was paid to Percy in 1452, and onwards. Lauder kept his position uninterruptedly till 1474, for thirteen years at least, when he was succeeded by David, Earl Crawford, one of the most influential servants of the Scottish King. He retained his office for two or three years, and during his tenure he had 300 marks, evidently to maintain the dignity of his higher rank. Again, in 1477, George Ker, of Samaliston, and George Hwme, of Wethirburn, were appointed Keepers of the Castle, after whom, on the 3rd February following, Robert Lauder, of the Bass, was appointed at a salary of £250.‡ Lauder continued

* Belhaven is near Dunbar, to the westward.

† Preface to seventh vol. of 'Exchequer Rolls' (Scot.).

‡ The Lauders of the Bass, and of Edrington:

(1) Sir Robert de Lavedre of the Bass fought at Stirling Bridge in 1297; died in 1311. His monument existed at North Berwick in the time of Nesbit, who gives its inscription at length.

(2) Sir Robert de Lawedre, the brave associate of Sir William Wallace, on 4th June, 1316, had a charter from Bishop Lamberton, of that part of the Bass over which the Abbey of St. Andrews had till then retained a right. This Sir R. Lauder was ambassador to England from King Robert Bruce on various occasions. In 1323 he was one of the proxies on the Oath of Peace with Edward II. He was justiciary of the Lothians and of that part of Scotland to the south of the Forth in 1328 and in 1333 he was present at the Battle of Halidon, but he was then too old to take part in the fight.

(3) His son, Sir Robert de Lavedre, of Quarrelwood, in county of Nairn, fought at Halidon in 1333, in the third division of the army, under Archibald Douglas. He defended his Castle of Urquhart against all the power of Edward III., and it was one of four which never yielded to Edward's influence. He granted a charter of lands, in or near his borough of Lauder, to Thomas de Borthwick, which was witnessed by John Mautelant, sixth of the Lauderdale family.

It is impossible to determine whether (2) or (3) was Governor of Berwick Castle in 1328. Though (2) was very old in 1333 and not able to fight, in 1328 he might be able to occupy Berwick Castle, for at that time there was peace between the nations.

till the last year of Scottish occupation, when Patrick Hepburn, of Hailes, had possession of the fortress. From the time that the Scots got possession of the town till 1476, the Keeper of the Castle had held the office of Chief Customer. His wages were paid, as when the town was in English possession, out of the customs of the town, as far as these would answer the amount. The Keeper had a deputy to collect the customs and do all necessary work connected therewith. David Guthrie was the first of these deputies, and was paid at the rate of 10s. 5d. per annum. The deputy must have had some other means of livelihood than this. It suggests a system of corruption and bribery. Guthrie was succeeded in his ill-paid work by David Menzies, and, after several years, John Bannyrman obtained the position, but on no more lucrative terms. Bannyrman was succeeded by two individuals, citizens of Edinburgh, Walter Bartraham and Thomas Yare. These gentlemen were now appointed Customers in Chief, displacing the Keeper of the Castle, who had formerly held the office and had received the burghal ferms and other ferms belonging to our Lord the King, and the fisheries belonging to the King and the Keeper of the Castle. These citizens of Edinburgh were displaced shortly afterwards by Robert Inglis, of Lochend, and John Bog, citizen of Berwick, who were called Chamberlains and Bailies of Berwick.

While Berwick was Scotch we have curious instances of disobedience on the part of one of its bailies. It must be given as it stands in the original, for it loses its charm by translation or curtailment.

'The lords decreete and delivers that for ye great lych-lying and contempacioun [contempt] done to ye King's hienes be Robert Manderston, John Bannerman, and John Bog, balzies of Berwick and one execution of their office, anent certain letters direct to them for John Holland, and also for the withhaldin of the King's lettres, and also for thair inobedience becaus they comperit nocht now nor before; thai beand divers times sumoned. That therefore lettres be writin to the sherif of berwic and his deputs, charging him to comand and charge ye said bailzeis of berwic to enter thair persons in warde in ye castell of blaknes within xv dayis next to cum; these to remain on thair

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(4) Sir Alan de Lawedre, son of Sir Robert, of Quarrelwood, witnessed the above charter, and had several charters of lands about 1370, one of which was for half of the lands of Lauder. From him were descended the Lauders of Hatton or Halton.

(5) He was succeeded by Sir Robert Lawedre, of Bass, surnamed 'Robert with the Boreit Whynger.' He was one of the ambassadors to the Court of Henry V. in 1424, as was also his brother the Chancellor, to treat about the liberation of King James I., when he was designated 'our Loveit of the Bass.'

(6) Sir Robert Lawdre, called of Edrington, and designated 'Son of our Loveit of the Bass.' He was one of those appointed to convey the Queen's portion of 2000 marks to Edward IV. in 1477. This is the Sir Robert of the text, who was keeper of Berwick Castle during all these years. From him was descended Sir Thomas Dick Lauder, of Fountainhall.

avn expenses quhill ye said John Holland ye partie bee content and quhill thai be fred be the King vnder the pain of rebellion and putting of thaim to ye King's horn.'*

This took place in 1473, and, in three years afterwards, two other bailies again came under the King's wrath. This time, 'Archibald of Manderston and Alexander King, Balles of Berwic,' were guilty of taking out of irons two persons who had been so punished in presence of the sheriff. They were condemned by the 'lord auditours' to be put in ward in the Castle of 'Blaknes,' and to remain there during the King's pleasure. The next delinquent was of higher rank. Alexander Lindsay, son and heir of David, Earl of Crawford, in 1479, along with some accomplices, was convicted of taking and holding two monks of Cupar, while the packing of their horses was robbed and the servants of the monks were chased from the scene. Lindsay was sentenced to imprisonment in 'Blaknes' during the King's pleasure; George Dempstar, one of his accomplices, to imprisonment in the Castle of Berwick; and John Dempstar to the like in Dumbarton Castle. These parties were ordered to pay two marks for the expenses of the two witnesses who proved the case, and the abbot paid one mark to the two persons who came, but bore no witness. Alexander Hume was imprisoned in Blackness in the same year for disturbing Patrick Hepburn, Sheriff of Berwick, in the execution of his duty. Lastly, in 1480,

'The lordes decrete and declares that Ewmond of Nesbyt sall gife and deliver to Peter of March sa meikle broone or grene gude Inglis claith as wil be to him a lang gowne, or the price of sa meikle claith, because the said Ewmond promisit it to said Peter, in name of the town and comonalty of Berwick, for labour and servise rendered.'†

These are cases of Scotch Courts judged in their peculiar fashion, and determined according to their law. We now pass from such peaceful, if not pleasant, matters to those of a more stirring character.

The English were, again, about to try and recover their old fortress. Edward of York was now King of England, and at his Court were two renegade Scots, Albany and Douglas, plotting against their country, and urging on the English to recover Berwick. James, the Scottish King, had evidently given grounds for retaliation. He had made raids into the Northern counties, and had forced the hand of his English neighbour. Afraid of losing Berwick, the Scotch Parliament eagerly seconded the King in putting the town and castle into order. A tax of 1,000 marks was cordially granted to victual it.‡ Warlike engines were made for

* Extracted from 'Acta Dominorum ad causas et querelas audiendas electorum,' in Parliament of James III., 1464-1484.

† All the cases are from the same 'Acta Dominorum.'

‡ 'Acts of Scots Parliament,' vol. ii. 138.

defensive operations;* the walls had been repaired, and a great portion newly built:† so that when the English laid siege to it in 1481, the defence was so vigorously conducted by the Scots that the enemy was obliged to withdraw.‡ Next year affairs in Scotland became so complicated that there was no longer any possibility of withstanding the forces brought against the town. The King of Scotland had been rendered powerless by the conspiracy completed at Lauder, when Archibald Douglas undertook to 'bell the cat,' when James's favourites were mercilessly hanged over Lauder Bridge, and when the army had dispersed which had gathered for Berwick's defence. An English force of 22,500 men, commanded by the Duke of Gloucester, came against the town. While the Earl of Northumberland led the van, other notable leaders, the Lords Neville, Stanley and Fitzhugh, along with the rebel Albany,§ took a share in this enterprise. 'The army marched forthwith and came suddenly by the waterside of the town of Berwick, and what with force and what with fear of so great an army, took and entered the town, but the Captain of the Castle would in no wise deliver it. The captains decided to go on to Edinburgh with the main army, and left 4,000 to keep up the siege against the castle.' Lord Hailes, who kept the castle in this soldier-like fashion, evidently expected help from Scotland. In this he was disappointed, and eventually withdrew, after surrendering the fortress to the English, August 25th, 1482. It is probable that he did this in terms of the Treaty of Edinburgh, which not only included its surrender, but also that Albany should be reinstated and pardoned for his treasons. There are no details of this recapture of Berwick that can be depended upon. It is questionable if the action of the English army ever amounted to a siege. The castle may have been threatened in 1482, when Lord Hailes held it; but further than this we may dismiss all idea of sieges at that time, especially since the army of the Scots was so demoralized that action with it was impossible. Thus Berwick passed for ever from under Scotch rule into English possession and government.

The amount of foreign trade in this Scot period was surprisingly small. Berwick had now begun to feel the effects of its importance as a stronghold and a

* An instrument of war called a 'sow' was made in Berwick by William Anderson, carpenter, and afterwards taken to Edinburgh ('Scot. Ex. Rolls,' for 1481).

† Redpath's 'Border History,' p. 304.

‡ 'The English besieged Berwick and bore down most of its new-built wall, yet the Scots within so valiantly defendit the same that they were forced to retire with sore bones.'—Balfour's 'Annals.'

§ Albany had entered into a treaty with Edward that he should become King of Scotland under the name Alexander, and part of the treaty was the delivery of Berwick into English hands.

contested point between the nations. A very different tale have the Customs now to tell than in the time of the Alexanders, when the payment of a bill of £2,000 could be secured upon them. The largest amount taken in any one of these twenty years did not reach £200. In some years nothing equivalent even to that sum was obtained. Its staple was entirely gone. A gradual increase of the trade in salmon kept the flickering flame from being quite extinguished. This condition of things explains the piteous cry of the burgesses now sent to the King about the poverty of the town:

Petition of the Burgesses of Berwick to the English Parliament in the early part of 1483: 'Humbly shewn to your highness youre true lieges, the burges and inhabitauntes of Berwick, which is at this tyme so pore and desolate that the inhabitauntez of the same toun, there may not long abide onlesse your ample grace to theym and other intendyng thedir to resort and there to abide be shewed.

'Pleseth your habundante grace tenderly to consider the premysses of the same toune and marches thereof to have the same toun inhabited with grete nomber of your trew liege pepill which wold then in tyme habunde and increase by repair of merchants and merchandises, and the exercise of the same. Therefore to ordeyn, establish and enacte, by the advyse and assent of the Lords spirituall and temporall, and others in this present Parliament assembled, and by authority of the same, that from the feast of midsummer next coming all merchants bringing eny merchandise oute of Scotland or Iles of the same into this your realm of England, or into Ireland, or Wales, shall first bring the same merchandise unto your seid toun of Berwick; and that noon of your lieges ne eny other person under your obeisance afore the same merchandise be bought, solde, or customed at your seid toun of Berwick, except to your city of Carleol and the ports and creyks perteyning to the West March; and that no maner merchant, no denizyn, ne estraunger under your obeisance carie or conveye to sell eny maner merchandise leying within England, Irelond, or Wales, into Scotland or Iles of the same that beene not under your obesaunce. And that non under your seid legauncez or observauncez sell eny maner of merchandise of England, Irelond, or Wales, to eny of the inhabitauntes of Scotland or Iles of the same in eny place, or in England, Irelond, or Wales, savying only at your seid toun of Berwyk or Carlel forsaid. And no maner merchandise be shipped or unshipped in eny creyk ne other place betwix Tynmouth and the seid toun of Berwick, but only with the haven of the seid toun of Berwick. And that no maner person or persones except the Burges and enfranchised men of your seid toun of Berwick make eny salt salmon to sell of eny salmons that shall be taken in the Water of Twede; and that if eny person or persons offend or do with any maner merchandise aforesaid contrarie to eny of the seid ordeignauncez the same person or persons to forfett all the merchandise. And that it be lefull to eny of your lieges to sease all such merchandise so forfett or elles sue in his own name an action of dett ageynes the same person or persons that shall so forfett concerning the sum of the value of the seid goodes, and in the same action to have like process, jugement and execusons as is in other actions of dett used by the cours of the Lawes. And that non of the same suytes or actions any protection or esson of your services be allowed, ne eny defendant amytted to do his lawe, and your highnes to have oon half of all such merchandise forfett and seased as the oon half of all such sumes of money as shall be recovered by action in fourme abovesaid to be sued for the value of eny such goods so forfett and that person or persons that shall serve or sue in fourme abovesaid to have the other half. And that by the seid authoritie it be ordeyned and enacted that your merchants or enfraunchised men of your seid toun may of your good grace have to ferme all your waters and Fyshing places without your seid toun of Berwick and Lordschipp of the same paying

therefore yerly as moche as eny other person will doo, and that the same merchaundez and fraunchesed men and everych of them may from hensforth have and occupie to them their heirs and successours for ever all liberties, franchises, and customs which a long tyme affore belonged unto your seid toun. And that they may ship all maner of goodes and merchaundises there, and carie it to what Port or Portes that they wyll. And then discharge the same and lode their shippes with corn or eny other vitaill or merchaundis, and the same to bryng into your seid toun of Berwick for vitellyng thereof, and this shall we pray ever for your, etc.'

The King answers, 'Le Roy de vult ovesque l'exception contennez in la Cedule a cest Bille annexe.'

'Provided alway that this acte ne any other acte in this Present Parliament made or to be made extend not ne in any wise be preduciall unto William, Bisshop of Durham, nor to his successours, nor for any maner thyng to hym perteyning or en eny maner wise belonging.'*

This was surely a most extraordinary attempt to bolster up the trade of the Port of Berwick. It did not answer its purpose. It was a terrible hardship when it was put into force; and it was evaded in every possible way. How, indeed, could it be carried into effect? A vessel from the Humber to Aberdeen could easily pass Berwick unsighted, and who could discover the default? There was a complaint immediately of a vessel passing to Scotland without transhipping its goods in Berwick harbour.

Apart from the salmon trade, the townspeople were chiefly engaged in supplying with the necessaries of life the large garrison that was required as long as Berwick was of political importance. After Gloucester succeeded in obtaining the town and castle, provisions were hastily forwarded to it. Thomas Ilderton, 'lardarie Hospitii Nostri,' received orders to send to Berwick '5,000 qrs. of wheat, 500 of malt, 500 of barley, 300 of peas and beans, 20 loads of onions, 40 weys of cheese for victualling our town and castle of Berwick.'†

Before the reign of Edward IV. closed, he confirmed the charter of Edward III. to Berwick, and all previous charters. Edward V. nominally succeeded his father, but he was entirely ruled and controlled by the Duke of Gloucester, under whose directions the Earl of Northumberland was again appointed Warden of the East Marches and Keeper of Berwick town and castle. The terms of his appointment give us considerable information as to the garrison kept at that time. The Indenture bears date 20th May, 1483, and 'is maid betwix our said sovereign lord King Edward V. and the right trusty and well-beloved cousyn Henry erle of Northumberland':

'When the erle is made Lord Capiteigne of his Castell and town of Berwic for 5 months of 28 days each, he is to have 600 souldeours in the Castell and Town; and they are to be defensibly

* This same matter of reshipment of merchandise had been attempted long before this, but must have failed altogether in being carried out.

† 'Rot. Scot.,' 16th January, 1483.

arraied, of whom 300 at least shall be archers. Five hundred of them shall be for defence of the town and one hundred for the castell. Two sufficient gentlemen are to act as lieutenants, one for the town and one for the castell. The said erle for keping these safely shall have a reward, £438 10s. 1½d.; £420 of this sum shall be for the pay of 600 souldeours, each of them having 6d. per day; £10 5s. 1d. for the two lieutenants, to be paid after the rate of 100 marks yearly; 20s. 6d. is to be paid the Marshall; 6s. 8d. the treasurer; 15s. 4d. the Master Porter of said Town, at the rate of £10 by the year; the petty Capiteigns to get 66s. 8½d. by the yere; and the Capiteigne of the Swiccheners* 4d. per day above his wages; the Baner-berer, the Wevelert and Taboret of said Swiccheners to have 6d. a day above their wages. . . . If the town is likely to be besieged the erle may then put in 1,200 soldiers for the surety of the town. He shall then endeavour to the "Utterest" of his power to help or cause to be kept the said town and castell, as long as these moneys are regularly paid, but if the money should cease at any time then he holds himself blameless, and he shall be utterly discharged of any longer keping of said places, this indenture notwithstanding.'‡

This company of the garrison remained very much the same as above set forth, save in times of special war or danger, until the dismissal of the garrison altogether after James VI. became King of England. Another small grant was made to an officer in Berwick during Edward V.'s short reign. It is interesting in one particular, that it was granted by the advice of Richard, Duke of Gloucester, uncle of the King—the uncle that caused his death shortly after the young lad was made to say, "our derest oncle the Duc of Gloucester."

'Edward, etc. To our well-beloved Geo. Porter Maister Carpenter of our Workes in oure Toun and Castell of Berwic, greeting. We wolle and by thadvise of our derest oncle the Duc of Gloucester, protectour and defensour of this our royalme during our yong age charge you that with all possible diligence after the sight of these, ye adresse you unto such places in our Countie of Essex and unto other places whereon ye shal thinke is best tymbre, and then that ye do chese and mark out as moche of the same tymbre as ye shall seme convenient and necessarie for such bildings as we entende to make at our said towne and castell, commanding in our name al maner our officers, liegemen and subjettes that vnto you ar executing as well of this our auctorite and commandment as in taking of workmen and cartes, and vessailes necessarie for the conveiance of the same tymbre unto the said town and castell they be at all seasons aiding, strengthening and assisting in every behalve as apperteneth, as they and every of thaim entende to do us pleasure, and to eschewe the contrarie. Geven under our Signet, etc., 25 May, in our first year.'

The grant is interesting, but it is tantalizing as well, for no account remains of the 'bilding' that was intended. Probably the revolution that was at hand stopped all operations; for Richard III., during his reign, had quite enough to think of, without troubling himself about Berwick and its buildings.

Richard Draper was appointed Clerk of the Works during the King's pleasure. Alexander Lye was made Supervisor of the Works here. Lye was King's Chaplain, and was called Master Alexander Lye in the royal order.§ This

* Swiss mercenaries.
† Whiffler, or piper.
‡ Harl. MSS., Grants of the King.
§ 'Rot. Scot.,' 1482.

term was reserved for those who had taken a degree at the University. During the reign of this King few events took place around our town. We get glimpses into its history to show us that the stream was flowing on in its usual course—that clerks and supervisors, carpenters, masons, and other artificers were still at work. When we proceed to the reign of Henry VII., the chief interest in or around Berwick was centred in the making of truces between England and Scotland, in which for the first time Berwick had a clause all to itself, which clause has been seriously misunderstood. On its strength it has been again and again asserted that Berwick was now formed into an independent town, independent of both countries. But there is no such idea contained in the truces of that time. Here is the clause as it stands in the Treaty of London, the first of the series of truces confirmed in Henry's reign:

'Moreover it is agreed upon that, during the present truce for three years, or only one year, that the town and castell of Berwick shall stand and remain along with the inhabitants and dwellers of the same, in abstinence of wars and in truces of wars all the time of aforesaid truces, so that neither the most serene King of Scots for himself, nor any of his liege subjects or vassals, shall make war or attack or besiege the place. Nor shall the most serene King of England for himself, or any of his inhabitants of town or castell, in any way whatever make war, assault, or siege upon the said most serene King of Scotland, his lieges or vassals, in any way during the remaining time of these truces. The Party who does attack, or do any harm during these truces, shall be punished by the King to whom he belongs.'*

This treaty was ratified in the parish church of Berwick. Next year the same matter was again referred to in the treaties of marriage proposed to take place between (1) James, Earl of Ross, and Katerine, third daughter of the late King Edward IV.; and (2) James, King of Scotland, and one of the said King's daughters; so that by these marriages,

'By the grace of God to be completed sall folowe the final appeasing and cesing all sic debates betwix the Kings of the seid realmes for the time being movit and attempit. Of the quhilk castell and toun of Berwick, the said King of Scottis desiris alwaies deleverance at the final appeasing of the said marriages or any of them. These to be confirmed at Edinburgh, on the 24th of Jany, 1488; and then to be concluded, in the moneth of May, these marriage treaties, along with the appeasing of said matter of Berwick, as is aforesaid. The truces to be carefully kipt meanwhile, the said Town and Castell, with the limits of the same, to stand in sic special assurance trewis and abstinence of were as is comprisit in the indenture of the said trewis taken at London.'†

James, on his part, did agree, and would have carried out these treaties of marriage and truces, for he was very anxious indeed to repossess himself of the town of Berwick. Henry, on his part, drew back, and no such marriages ever took place. It shows the extreme anxiety of James to recover Berwick, when he actually agreed to marry a woman considerably older than himself; and it shows

* 'Rot. Scot.,' July 7th, 1486. † *Ibid.*, 1487.

the high estimate that Henry VII. put on Berwick, when all that hindered his fulfilment of the treaties was the demand of James that, before he would treat, Berwick must be given up to his charge. Still, in all this there is no word of rendering it independent of both countries, and these are the very words that occur in every treaty made about this time. All treaties being laid aside for the present, Henry set Berwick in order, and made a number of new appointments. In 1488 Richard Chomeley was appointed Chamberlain, the duties of which office could be performed by deputy. Robert Lancastre became Head Gate-Keeper for a term of seven years, with £20 a year for salary and a body-guard of 16 soldiers personally able for war, to be paid out of the Royal Exchequer. Rowland Stafford was made Marshal, at a salary of £33 6s. 8d. per annum, and to have 24 soldiers paid by the King. The office of Head Carpenter was continued upon George Porter, with wages of 1s. per day, and 6d. per day to be allowed his workmen. The Keeping of the Marches and the Guardianship of the Town was confirmed in the person of Henry, Earl of Northumberland.*

John Cutt, Master of the *Mare Hobart*, of Hull, and Alex Careswell, merchant of Hull, were commissioned to forward all manner of provision, the finest wheat, malt, barley, oats, etc., for victualling Berwick. In the same year, by Act of Parliament, provision was made for paying the garrison of the town, as the Customs of the Port were inadequate, and so an elaborate scheme was propounded for the purpose:

'Forasmoche as the King our Sovereign Lord conceiveth well that the sure keping of the Towne and Castell of Berwik is a grete diffence ayenst the Scotts and a grete wele suerte and ease unto all his realme and especiall to the northe partes of the same. Therefor for the good and sure keping of the seid Towne and Castell be it enacted by the King and parliament that the person whom the King shall appoint to be approver or surveyor of the Castells or Lordships of Sheref Houton, Middlam, Richemond, Barnard, Cotyngham, Sandall, Hatfeld, Conesborough, and Wakefield, with all their belongings, and also all the Royal maners and lordships, londes and tenements which lately belonged to Richard Duke of York in the Counte of York—viz., Raskell, Suton, Elvyngton, Esingwolde, and Huby, with their belongings, as well as the fishing toll and ferm of the Town and Marches of Berwik, shall hawe full authority to disposses all officers and accountants and appoint new officers ther. These new officers of the above premises shall pay out of the issues of these Castells and Manors to the receiver at Berwik the sum of £1,833 6s. 8d. "at the festes of Michelmes and Ester" by equal portions. The collectors of the custom and subsidy at Newcastell shall pay the same receiver at Berwick the sum of £225 at the same terms as above. The receiver of these moneys at Berwick must account for the same before the Barons of the King's Exchequer or before such auditors as the King shall appoint.'

Thus the garrison was to be provisioned and paid, in part, at least, out of these revenues.

Truces were made and continued in force, during the remainder of the

* These appointments are all found in 'Rot. Scot.' for 1488.

century. A peace of great importance was negotiated by a Spanish priest named Peter d'Ayala, who was the Ambassador from Spain at Henry's Court. Perkin Warbeck was, at the Scottish Court, maintained and feasted by James IV. Henry was busy arranging the Spanish marriage for his eldest son Arthur. But as long as a usurper was being treated like a king in Scotland, it was vain to think that this marriage could be carried into effect. D'Ayala had a delicate and difficult duty to perform; nevertheless, it was speedily crowned with success. Warbeck was dismissed from the Scottish Court, his career very soon afterwards came to a melancholy close, and the Spanish marriage was agreed upon. Some notice of Berwick occurs at this juncture in an Italian relation of England.* The date is about 1500, and references to this truce are found in it:

'But to counterbalance this the English possess beyond the eastern arm of the sea: named Tivide [Tweed], in the kingdom of Scotland, the singular fortress of Berwick, which, after having belonged for a considerable time to each kingdom alternately and at length had fallen into the hands of the Scotch, was made over to King Edward the Fourth by the Duke of Albany, who was at war with his brother, James III., King of Scotland. And now King Henry VII. has built a magnificent bridge across the aforesaid arm of the sea, and as he has the command of all the eastern coast he can throw as many troops as he pleases into the town, which is a very strong place both by nature and art. And as this Berwick has caused the death of many thousand men in former times, so it might do so again, were it not for the peace consolidated by the wise Don Peter de Ayala.'

This writer continues:

'There are always about 800 chosen men, including horse and foot, on guard at Calais, as your magnificence has seen; and I do not believe that the Castle of St. Peter at Rhodes is more strictly guarded against the Turks than Calais is against the French. It is the same case with Berwick in Scotland; and this is from ancient natural instinct.'

'There is also another duty upon the Wools which are taken to Calais and from thence sent out into Europe by land. This duty is called by these people the staple. But all the proceeds of the said Wool-staple are assigned to the maintenance of the guard at Calais and at Berwick, and are, therefore, not included in the revenue.'†

There is one remark of the Italian which will not stand criticism—Henry VII.'s magnificent bridge was a product of his imagination. He may have made an old bridge passable, but no more. Throughout the sixteenth century this bridge cost no end of money to keep it in such a state of repair as to carry all the traffic of that busy time.

The policy of Henry VII. was directed towards reducing the power of the nobility, and this led to a decided change in the government of the town. Since

* This was translated by Charlotte Augusta Lloyd.

† This statement is correct if we take some warlike years. In 1421 the receipts from the custom of wools at the staple amounted altogether to £40,676 19s. 9½d., whilst the charge for Calais and her Marches was £21,119 5s. 10d., and for the Scotch Marches £19,550, making altogether £40,669 5s. 10d.—Rymer's 'Fœdera.'

1333, when Berwick may be said to have come into English power, some one of the great English lords had been Warden of the Marches and Governor of the Town. But, in 1491, Henry appointed his eldest son Arthur, Prince of Wales, when a mere boy, to these important offices. In 1495 the same duties were conferred upon his second son Henry, Duke of York, who ultimately became Henry VIII. of England. While these were in office, and even before this, deputy-governors were really the ruling powers in the town. Sir William Tyler, in 1488, was *locum tenens*, and continued in office for some years. The Earl of Surrey became Sub-Custos for the Prince of Wales, and Sir Thomas Darcy was appointed Captain of the Town and *locum tenens* for the Castle in the Wardenry of the Duke of York. The town reaped no advantage from these appointments. They rather militated against its success by the deputy's continual cry for more money, and by their sometimes resorting to false practices to obtain it.

We pass now to an interesting episode in our story. James IV. had been promised the daughter of Edward IV. for a wife; but he was tempted by a richer dowry. Negotiations, long protracted, were now begun with the view of a marriage between the Scotch King and Margaret, daughter of Henry VII. The marriage treaty was drawn up, and eventually signed in 1501. Margaret was young, and this caused delay. In fact, she was only thirteen years of age when, in 1502, she was sent into Scotland. The account of her journey to the north shows it to have been very interesting. It has been often related. We shall content ourselves with that part of it which immediately refers to our town. Her progress was written by Young, the herald. It is quoted in Leland's 'Collectanea,' and again by Sykes in his 'Local Records,' from which we take the following:

'The xxix day of the sayd monneth (July, 1502), the said Quene departed from Alnewyk for to go to Barrwyk, and at haff of the way, viz., Belleford, she bayted. For Syr Thomas d'Arcy, Capittayne of the said Barrwyk, had maid rady her dynner at the said place very well and honnestly. For that the said Henry Grays abouffe named is Scheryffe of Ellaundshyre and Northumberlaundshyre, he bore his rod before the said Quene sens the entrynge of the said lordschyps to Barrwyk.

'Betwyx Alnewyk and Barrwyk cam to the Quene Maistor Rawf Wodrynton, having in hys company many gentylmen well apoynted. His folks arayed in liveray, well horsed, to the nombre of an hundreth horsys.

'At the comyng ny to Barrwyk was shot ordonnounce the wiche was fayr for to here. And ny to the sayd place, the Quene drest hyr. And ichon in fayr aray, went the on after the other in fayr order. At the entrynge to the bryge was the said Capittayne well apoynted, and in hys company hys gentlymen and men of armes who receyved the said Quene into the said place.

'At the tother end of the bryge, toward the gatt, was the Maister Marshall compayned of hys company, ichon bearing a staffe in his haund.

'After him was the college revested with the crosse, the wiche was gyffen hyr to kysse by the archbischop as before.

'At the gatt of the said towne was the maistor porter, with the gard and soyars of the said place in a row well apoynted. Ichon of those had an hallebarde or other staffe in his haund as the others. And upon the said gatt war the mynstraylls of the sayd Capittayne pleynge of their instruments.

'In the midds of the said towne was the Maister Chamberlayn and the Mayre accompanyed of the bourges and habitaunts of the said place in fayr ordre and well apoynted.'

The Queen was then taken to the castle, where she was received by Lady Darcy. The next two days were spent in Berwick, when the Captain treated her to good cheer and such amusements as the times afforded. Courses of chase within the town, bear-baiting and other gentlemanly sports passed the days pleasantly away. Then, on the 1st of August, she departed to Lamberton Kirke, where the Scotch Commissioners received her from her English companions. She was accompanied so far by the Earl of Northumberland, Lord Dacre, Lord Scroop, Lord Grey, Lord Latimer, the Lord Chamberlain, Maister Polle, and many others—two thousand in all, going three abreast. After resting at Lamberton, the Scotch Commissioners accompanied the princess and her maidens by Fast Castle and Haddington to Dalkeith, where she first met her future husband. Lady Surrey and her daughter were with the princess. After spending two nights at Dalkeith, she was taken to Edinburgh, near which the King met her, and took her on the pillion of his saddle, and so rode through the streets of Edinburgh to Holyrood Palace, where they were married after the fashion of kings.*

This marriage is certainly very foreign to our story in one sense, but in another it pertains very closely to it. One hundred years after its celebration it led to the elevation of James VI. to the throne of England, which event united the two countries and put a stop to the almost continual bloodshed that had prevailed so long upon the Borders, and of which Berwick now became more than ever the very centre.

The peace made at this time was to be perpetual. Berwick was guarded in the marriage-treaty in the same manner as in the Treaty of London; but included in it were 'Letters of Reprisal,' so that the inhabitants of one country could demand from the inhabitants of the other compensation for injuries inflicted without involving their respective countries in war. This was a most disgraceful addition to the former treaties; for it led to the most cruel of all raids upon the Borders, in which Berwick soldiers took no small part. And thus, while the peace-loving Henry VII. ruled, matters continued in the same interrupted state.

Before passing on, we may note the officials in the town: Lord Darcy was Captain as well as Treasurer and Chamberlain; Christopher Clapham, as successor to

* It is a common mistake to say that she was married by proxy in Lamberton Kirk. She was there delivered over to the Scotch Commissioners.

Robert Carr, had become Janitor-in-chief; Thomas Garth succeeded Rowland Stafford as Marshal, the latter having been pensioned off.*

On Henry VIII. having ascended the throne, a general pardon was granted; but, excepted from it, in Berwick, was Christopher Clapham, the Janitor, who must have been guilty of some very heinous offence to be so singled out.† Immediately afterwards we have a record of the changes usually made in the official staff on the accession of a new king. Darcy was reappointed to all his offices, and in addition was made Warden-General of the East Marches. William Lee was made Receiver-General of the moneys derivable from the manors lately mentioned in the Act of Parliament for maintaining the garrison here. A new item was imported into this account. £280 was now to be given in addition out of the Customs of Hull, and £235 from Newcastle. Lee, after a few years in office, was succeeded by Thomas Burgh, Squire of the King's body. In another year, Burgh was again succeeded by William Pawne, Chief-clerk of the King's army. Burgh himself was promoted to be Marshal of the Town, in room of Lord Darcy, who was promoted to be Admiral of the Fleet, to proceed against the Moors in aid of Ferdinand of Aragon.‡

In the same year a commission in Latin was granted to Sir John Cutt and Richard Gough for the surveying of the town, by which they were to examine the defences of Berwick and Border places—the strength of the armies in all the towns on the Border.§ In this MS. no actual survey of Berwick is given; but, from other sources, one has been obtained, which will be referred to in the Appendix.

During these years a considerable amount of piracy was carried on in the German Ocean between Scotch and English ships. Lord Dacre, in 1512, in a letter to the King, proposed to call upon the Scotch Warden to restore the goods taken by the pirates De la Mote, Robyn Beeton, David Fawconer, and others, because the Warden had required of him to restore the goods taken in a Flemish bottom and carried to Berwick. The King, on receipt of this, wrote to West, Dean of Windsor, that he understood the King of Scots would keep the peace if he might have safe passage for merchandise without disturbance from the English army, and a safe-conduct for his ambassadors to England. The offer is good, the King adds, but West must beware lest this be a pretext for passing their great ships and their

* 'Rot. Scot.,' 1501, 1502.

† Brewer's 'State Papers,' 1509, Henry VIII. Christopher was Receiver-General as well as Janitor. It is probable in this latter office he committed embezzlement.

‡ See Brewer's 'State Papers' for all these appointments.

§ 'Titus,' F. viii. 255.

navy to France without hazard from England. As for redress of grievances (the old story), England has sustained three times as much damage as Scotland, and ought to have the larger recompense ; so that our Warden and Commissioners have sufficient ground to satisfy the Scots. If they will return Banaster's ship, England will return the ship taken at Berwick.* This was the beginning of the strained relations between the two countries which ended in the disastrous Battle of Flodden. James, to increase the irritation, asked for the jewels which he expected with the Princess, and which had not been delivered. He was now gathering an army in Scotland, and needed money. Foreman, the Romish priest, was employed both at the English and French Courts, and fomented the disturbance by prevailing upon France to send a letter to James urging a raid into England, and 15,000 crowns to help him to carry the advice into effect.† James, as is well known, raised this army, and fought the Battle of Flodden with fatal effects to himself. He was slain in the thickest of the fight. His body was next day brought to Berwick by Lord Dacre, the Captain of the Town, who says he keeps good watch, and the Scots like him worse than any man in England, 'by reason that I found the body of the slain King of Scots on the field, and therefore advertised my Lord of Norfolk in writing, and thereupon I brought the corpse to Berwick and delivered it to the said lord.' It was taken from Berwick to Newcastle, then to the Monastery of Sheen or Richmond, where, after the dissolution of the monastery, the body, wrapped in lead, and lying in a room full of rubbish, was shown to Stow the chronicler.

The ordnance taken from the Scots was first brought to Etall, and thence to Berwick, by William Bawme and the men of Bamboroughshire and Islandshire. It was said to be the finest ever seen. There were seven culverins of brass called the 'Seven Sisters.' Lord Dacre got peremptory orders to bring the Scotch ordnance at once to Newcastle, to avoid the danger of a sea-passage. Dacre immediately got together 100 horses, with oxen, for the purpose ; but, on representing this to the Council at Berwick, they refused to allow the ordnance to be carried over Berwick Bridge without special command from the King, saying that 'my lord of Norfolk had so ordered, because certain jewels "were sore accra[zed] in the bringing of it to your said town." If the King is resolved, he should direct "ferefull" letters of command to the persons named in the "Cedule."' The King did not direct the fearful letters, for we hear no more till, eight years afterwards, we find payment was made to labourers and workmen employed from Monday, 25th April, to

* Brewer's 'State Papers,' 20th March, 1513.

† Burton's 'History of Scotland,' vol. iii., p. 73.

Saturday, 7th June, 1522, besides the work of 'drawing the Scotch pieces of ordnance from the storehouse on the Walls Green to the Maison Dew* to the ships.' The smith at the same time made a crane to ship the ordnance.† It was sent to the Tower of London. Evidently the King was no longer afraid of its being interrupted by sea, for the French had bought the Scotch navy and the large vessel *Michael*, that was the terror of Henry VIII. All these transactions with the ordnance show it to have been of very large dimensions—larger than field ordnance at that time was generally supposed to have been.

Notwithstanding the victory at Flodden, the thirst for vengeance on Scotland was as keen as ever. Dacre was commanded by Henry to make three raids into Scotland—one on the West Marches, one on the Middle, and one (with the people of the Bishopric of Durham) on the East Marches. Dacre suggested that Darcy had better perform the third, as he had taken in Berwick a new crew of 250 soldiers, besides the 500 he had before. These raids were faithfully made, but as the details are not further connected with Berwick, we pass on.‡

The next year was all stir and activity in the town, for the Scots were threatening it. The King heard of all these preparations, and thus wrote Darcy:

'By the letters of the 7th (March, 1514), he learns the news of the preparation made by the Scots against Berwick, and the desire of the town for aid. It shall be sent instantly. Howbeit we be credibly informed that in the complete forniture of the ordynary of souldeours for the defence of the town there be great defaulte, inasmoche as they be not resident there, ne yet the nombre of guners, which shuld be 50, be not complete. But as we hyre there be not five good guners, which is a great defaulk ffor other souldeours, which he newe putte in the liew or place of theym for lucre or wags, and if that nombre had be furnysshed ye shuld not nede to haue sent for so many to vs at this tyme. Nevertheless for the more spedie fournyture of oure said toune we shall provyde everything necessary forthwith.'

He then intimated to Darcy that he must accompany him this 'somer' to France with 500 soldiers, and take Sir Rauf Evers to be his deputy in Berwick, for he 'is mete and hable to these duties in your absence.'

'As touching the lack of victailles, none being at our said toun, the defaulk thereof resteth not jn vs, but in our porter there, Strangewisshe [Strangeways] to whome we have advanced the some of five hundreth Pounds, which some, as we be informed, he employeth dailly in Merchandise to his grete profite and advauntage, and leveth our said toun vnporveyed to the grete daunger thereof like as we nowe have written vnto hym, more at large charging hym in moost straitest maner as he wol aunswere vnto us at his uttermost perill to see the said toun fournysshed of victaills accordingly,

* The 'Maison Dew' was the name of the quay. It was close to the old hospital of that name.

† Brewer's 'State Papers,' 1522. ‡ Details are found in Raine's 'North Durham.'

besides other prevision as we have caused to be made of oon thousand quarter of whete and as manye of malt.'*

Darcy immediately answered this letter to the following effect:

'Has received the lettre of the 10th of March, in which the King declared his pleasure for fortifying Berwick Castle. There is no lack of ordinary soldiers, except such as are absent on furlough. All is in accordance with his indentures of the last 18 years. As to the complaint that the King pays for 50 gunners, and there are not more than 6, Darcy acknowledges there are not more than 20. But W. Pawne is master of the ordnance, and has in his retinue 54 gunners, and cannot obtain more, as all are gone to the wars. But he has offered to instruct such soldiers in the garrison "as were lusty to learn," with the King's consent. To save powder Darcy would not allow them to shoot. Hopes whatever gunners are employed they will be Englishmen, and not strangers. Trusts that reports will not be easily credited against him, considering how well he served the King's father. There is no truth in the statement made by the Mayor and Corporation of the town,† that when a siege was expected *they ran away*.'

'He has had great difficulty "to make them take set order and accord among themselves." My lord of Winchester knows them and their acts full well. In consequence of their discord "every of them improwde upon other his ferme of fishing." They pay £60 more rent than when Darcy was first Captain of Berwick, and are too impoverished to find provisions for soldiers. On Friday, 10th March, the Scots burned 5 towns on the East Marches. On Saturday they came within two miles of Berwick. They were lying fore against "foorthes," when my lord Dacres sent a chaplain of his to the council of Berwick desiring the Scots ordnance to be conveyed to Belford. The Scots are ready to lay siege to Berwick, and only wait for Albany's coming with the French and the Danes. It is impossible for him to comply with the King's demand to furnish Berwick with 500 men and, in company with his cousin, Sir Ralph Eure, attend the King in his journey over sea, not leaving his son in his absence. His son shall leave in all convenient haste. In the short time he has been there he has done more to "annoy" the Scots than has been done on all the 3 marches. Sir Ralph Eure has received the King's letter to take the deputyship of Berwick, and begs to decline as he cannot have health there, because of the cold weather and the sea air. He would gladly serve the King in any other part of the World.'‡

This correspondence tells its own tale—the desire to keep Berwick in good defence, and the difficulty of doing this, and the danger it was continually in from the presence of the Scots in its neighbourhood. This son of Darcy was worthy of his father. Here are some of the annoyances referred to in the letter:

'Date 30 January, 1515. Feats done by the soldiers of Berwick at the commandment of the deputy and of the council there, sithen the 1st of November last:

'8 November. 60 Scots riding into Berwick were chased to Ayton Bridge: 4 slain, 6 taken. Raid to Reston and Andencrawe, which were burnt: 5 persons and cattle taken. Houses burnt at Sprouston, Aymouth, Paxton, etc. 19 December. Whikwood destroyed: 80 head of cattle, 10 persons, and 10 horses taken. 29 December. Ayton and all the corn burnt. 30 January. Prendergast burned and the White Reige: sum of the cattle taken, besides sheep, and prisoners 900.'§

Such is a specimen of what was done on the Borders all this century.

* 'Calig.,' B. vi., fo. 75. Henry's letter is dated 10th March; Darcy answered on the 20th.

† This is the first time in these documents that the term 'Mayor and Corporation' has been used. It occurs contemporaneously with the commencement of the town's records.

‡ Brewer's 'State Papers,' March 20th.

§ *Ibid.*, January 30th, 1515.

A few appointments were made: William Pawne became Master of the Ordnance, and George Lawson, Master Mason. A more important and enduring appointment was now confirmed. Sir Anthony Ughtred was made Captain of Berwick, with the patronage of the offices of Marshal, Porter, Master of the Ordnance, Comptroller, with the fees which Thomas Lord Darcy or Sir William Tyler had enjoyed. This Captain continued for several years in office, and affords us considerable information of his doings. William Lee continued Receiver-General of the funds from the manors, etc., for the sustenance of the garrison of Berwick. He received in 1509 £2,868 18s. 7¾d. He paid out—

Lord Darcy's wages	100 marks.
A Constable, Chaplain, Cook, two Doorwards, and Thirty-two Soldiers ...	10 marks each.
Twenty-four men in their retinue	10 marks each.
Christopher Clapham and Thos. Strangwisshe Master Doorwards	£20 each.
Eight men at 10 marks and eight others at 8 marks each	144 marks.
Twenty gunners: twelve at 6d. a day, eight at 10 marks each	245 marks.
Four clerks keeping watch, forty-seven mounted archers: five at 10 marks each, and the rest at 106s. 8d. 100 men at arms at £6 each	£879 13s. 4d.
John Shotten, Mayor	£10 per year.
Four constables at £10 and four at £8	£72.
Wm. Langton, Collector of Customs, received	£10.
Thos. Atcliffe and W. Evers controllers	£5 each.
Humphrey, chief Carpenter, got 12d. a day for himself, and £6 20d. for a reward to a yeoman under him	£24 6s. 8d.
Repairs of Walls of Berwick cost	£26 13s. 4d.
Total payments	£2,801 20d.

For the next few years, from 1510 to 1514, the receipts are generally over £3,000, and payments above £2,000. Of course these sums do not include payment of the floating garrison, nor the payment of soldiers on the march. The permanent officials of Berwick alone absorb large sums of money. The garrison payments at this time are still larger than the income. Lord Darcy has forty persons in his retinue who cost £436 13s. 4d. William Pawne pays for garrison proper, £8,134 9s.; for wages for 200 men at Norham, 100 at 8d., 100 at 6d. a day, £1,143 6s. 8d.; and for the wages of crews at Berwick and Norham, £1,290 15s. 10d.; and the wages of 50 gunners, £230 15s. 10d.: altogether, £11,236. The sum, though large, was not quite so much as it was twenty years previous to this time.

Albany was still keeping the inhabitants of Berwick in a state of excitement; and the Captain in continual perplexity. Ughtred, now Captain, writes thus to Cardinal Wolsey, on August 25th, 1515: 'Has received your letter of the 19th.

J. HERRIOTT, Photographer.]

Could do no less than take a crew for the defence of Berwick; notwithstanding that the King and Council think the danger was not imminent, as advertised in his last letter, wherein he stated that Albany had raised a power against the Chamberlain of Scotland, but really against Berwick.'* But, 'right valiantly,' he adds, that 'he will keep "Barwhek" though Albany come with all the power of Scotland.' Albany retired without further trouble, and left as his deputy on the Marches, Sieur Antoine d'Arces de la Bastie, one of the most distinguished men of the day for bravery and skill in the lists, and for every kind of knightly and courtly accomplishment.† It will be remembered that Lord Home and his brother had been beheaded in Edinburgh shortly before Albany left for France. De la Bastie, a foreigner, having been appointed Warden of the Marches, thus became a fit prey for the retainers of the murdered Homes, whose official duties he had been appointed to perform. The Frenchman was very soon lured to his destruction. A family quarrel, he was informed, about the possession of the Tower of Langton had caused a gathering of forces. He went with a small company, expecting to scatter the clans without trouble: but he was mistaken. From certain threatenings he thought it prudent to fly, but, not knowing the country sufficiently, he was caught floundering in a swamp and killed, Home, the Laird of Wedderburn, it is said, bearing the dead man's head at his saddle-bow. Scotland now fitted out an expedition against the Homes, and forced them to flee across the Borders‡ for refuge. These were rough and fearfully unsettled times. Allegiance as well as patriotism seemed flung to the winds; for, immediately after this, we find the Homes in the pay of the Berwick Captain, and doing what they can to annoy their own countrymen. Dacre wrote to Wolsey in 1517: 'The Homes lying in the Caw Mills (Edrington) are doing great harm to Scotland, but cannot continue without aid of money, seeing what garrisons are laid up against them in Wedderburn, Blackatter, Coldingham, and other places in the Merse; has furnished them with some of his own ordnance. The house [Caw Mills] stands within 3,000 feet of the bounds of Berwick, and cannot be won without ordnance, which could only come through these parts [Berwick]. Acknowledges £100 sent by Wolsey for relief of the Homes, to be delivered as from himself and not from the King.' It must not be mentioned that the King gave it. It might involve the two countries in open war, while this guerilla warfare was more profitable to Henry VIII.; and the Cardinal hesitated not a moment at the deception. Thus the Homes, for a time bitter enemies to their country, when they found the supplies from England cease, returned, after submission, to their allegiance and their homesteads.

* 'State Papers of Henry VIII.' † Burton's 'History of Scotland,' iii. 91.

‡ *Ibid.*, iii. 93, etc.

CHAPTER VII.

IT was not till 1521 that circumstances once more drew the old town into the current of warlike operations. Now, Antony Ughtred, Captain, wrote to 'my Lord Cardinal's Grace: Firstly, to shew unto my lord cardynall's grace that notwithstanding the small nombre of the sougeours assigned for the sure keeping of the Town and Castell of Berwyk, zhit many of the said nombre be absent and cometh not there because they have patents of the king to be away, and dyvers of them hath patents for ij or iij Rowmys ther to the great daunger of the said toun, which I humbly desire z'or grace to be a meane for me to the king's highness that it may be remedied.

'Also I humbly beseeche z'or grace to be meanes for me to the king's highness that I may have the putting in and the putting owte of the principal officers. And that they be at my nominacion and appoyntement, becaus I am bounde and charged for the sure and safe keeping of the Toun and Castell. For gretter daunger can not be to the seid toun but off officers that be not trusty. And if anything should mysfortune them in tyme, I am afraid the king's highness and z'or grace wolle lay it vnto my charge, whiche were to hevy for me to bere. These things consider, and my vary trouste is that the king's highness and z'or grace woll graunte me my peticion in this behalve.

'More ouer, that it will plees z'or grace that I may have z'or gracious lettre directed vnto the priour of St. Oswald's, wherby I may obtain the Tythes of Bamburgh, wheche always hath been accustomably had for the vitaling of the said Castell of Berwyk, for whosoever hath bene Capt. of Berwyk affor this tyme had always had the same to fferme forth for seid purpose.'*

* 'Calig.,' B. iii. 124.

This was the first of a series of letters the Captain wrote in the years 1521-22 to awaken, in the King and the Lord 'Cardynall,' a proper respect of himself and a fear of invasion by the Scots. The letters of 1522 throw a new light upon the Captains of Berwick and upon their dealings with the Scots. To understand properly the fortunes of this year, we must premise that, after Henry VIII. had broken league with France, and had joined issue with Spain, he hoped and wished that the Scots would do the same; but the Scots, perceiving the double-dealing of the King, and not relishing the harsh treatment he was inclined to bestow upon them, refused to revoke the French alliance. This obstinacy awoke Henry's wrath, and he was determined to punish the Scots. It was not till 1523 that the great army came to the North. Meanwhile the King encouraged his men of the baser sort to raid against Scotland. Ughtred, taking advantage of this disposition, gave a very circumstantial account of a raid he himself made upon 'Cayll and Bowben' waters, and then added that he was informed of the Duke's movements by a fishmonger of London, who, having gone to Scotland under the safe-conduct of the Duke of Albany, and been taken, contrary to all justice, and cast into prison as a spy, had escaped. Ughtred then informed the Cardinal that 'substantial sums had been sent to Berwick for reparacions, but he had never seen any undertakyn;' and he was afraid of the safety of the town, but cleared himself, for he had frequently told the Cardinal and his Majesty of the need of the same. He took on a crew of 200 men, some time ago, for the safe keeping of Berwick, for he heard that the 'Duck' was '22 mylls on this side of Edinburgh,' and had the same news from Lord Dacre. But, when he heard of his withdrawal, he immediately dismissed the new crew to save the King's 'purs.' What made him more afraid, was that the moon was full, but he felt all danger was past when it began to wane. He had paid these men out of his own pocket, and likewise 50 gunners whom he had employed for the better discharge of the work. And now, he says, he deserved good thanks; 'but in case be I should haue dyede for hunger, I could not borrowe of my lord of Carlyle, nor of my lord Dacre £40 vpon one hundred pounds of playte; so that I was glade to send my plaite to a merchaunt of New Castell to borrow £40; and after that my wyff's cheyne from her necke, so that be the faith of a gentleman I have not at this day 40s. in my purs to fynde me and a hunder persons withall, and, as I have writte to your grace heretofore, the countre is so bayre that there is nothyng here but all for the peny.' He then added, 'He will let his grace know all the news as soon as possible.'* He accused John, Lord Bishop of Carlisle, for not giving him a loan of money, and

* 'Calig.,' B. vi., fo. 282.

was urgent for a supply of money to be sent to Berwick. But the Bishop had somewhat to say on this matter. The Bishop to Wolsey :

'Received to-day letters from Dacre dated 20th inst., stating what he had done on the East Marches and Berwick for the last ten days. He sees no likelihood of Albany's invading England, though the Captain of Berwick wrote to Wolsey that by this time he would have besieged that town. On Sunday the Captain again wrote in great haste to Dacre that the Duke would be in England, though there has been no such entry. However, on Monday night Philip Dacre, Sir Wm. Percy, Lord Ocle, and the four knights, with men from Berwick and elsewhere, to the number of 2,000, slew Lanse Barr, one of the worst borderers in Scotland, and 40 persons with him, and brought his son and heir and a great prey in safety to England, losing but one man. This untrue news has been sent by the Captain of Berwick only for money, for he has had none by the Bishop's orders, because he demanded first money for crews taken into Berwick before the Bishop's coming, about which he has written several times to Wolsey and received no answer. Secondly, for the crew of 50 gunners besides his retinue, which, when the Bishop was in Berwick, neither he nor anyone else could see. Has written several times to Richard Candishe to view the said gunners, offering to pay them without delay on receipt of his certificate, but he cannot get it by any means.'*

Ughtred could not quite be credited in all his statements: his foray into Scotland, for once, was a figment of his imagination. The Bishop's refusal of a loan was on definite grounds: these fifty gunners had no existence! All this happened in the early summer of 1522 ; but, as the season advanced, it became apparent that Albany might threaten them and come upon Berwick in great force, consequently greater activity prevailed in the town in August. Workmen were then busy upon a new tower on the sands, and on the bulwark outside the Bell Tower, in making wheelbarrows, hand-barrows, in sawing wood, and in mending the King's great boat.

'John Schell, smith, is working 29 st. of iron into the following articles: wedges for the quarry, lime stone hammers, agreat iron mill, wedges for limestone hammers, a kevell, an anchor, a lock for the storehouse door, chisels, and mattocks. Rolle Jackson works a stone of iron into "hacche" nails and "lat" nails for barrows. For sharpening 11 dozen points of picks and hacks, 2s. 5d. To the lord of Barneborow for wood to make 26 stone barrows, 4s. Carriage of the same on horseback to Berwick, 12d. To John Nelson, cooper, for making four lime tubs, 12d. David Mordour for dressing two hides for a pair of "Relleys," 12d.'†

Robert Candische was the Master of the Fortifications at this time, and these articles were made at his instance. Surrey, who arrived here in the autumn, said that Candische was the only man in Berwick that understood his work. On the 23rd October, Ughtred again wrote, but was very definite in his information, and in some of his charges. Albany, at this crisis, made a real show of approaching England ; he ought then to have led his army into that country, for it was

* Brewer's 'State Papers,' 22nd May, 1522. † *Ibid.*, 13th August, 1522.

not prepared to resist such a formidable array as was then gathered in Scotland. Ughtred's information was from an espial in his own pay:

'He hath ascerteyned me the Duke of Albany is comed forward; and the lady of Fast Castell prepareth for hym and loks verely to haue the Ducke with here this nycht. His grete army lyeth between the castle of Yester and Ellhamforde, and he entendethe to no place but onely to berwick be all the inteligance that I can haue. My Lorde, I shulde haue wreten to your lordship before this tyme, but I could neuer be in certyn whether he wold come to the west border or to berwic. He toke his ordenaunce out of dombarr yesterdaye and had it in the castell of Yester, and so his ordenaunce goethe awaye be a place called Stray fountains [Three Fountains], and so over at hemsted forde and so downe to the water of Twede; and intendeth to haue a grete armey on Jnglisch syde and another on Scotlande, and his oune person comethe ouer hewton more, and the lord Hambelton's powr cometh be lawdre aney thoughe his oune person come with the Ducke. In case be that this is not true I wold all my spialls were hanged. . . . Seynt George to borrowe, come at your pleasure, berwic ffers not hym.'*

The writer was very brave on paper, and Lord Surrey was equally brave and boastful. He was at Barmoor at this date, whence he wrote to the Cardinal:

'I am here. My Lord Marquis [the Marquis of Dorset] is in Berwick with 6,000 or 7,000 men, my Lord Darcy at Bamborowe, all ready looking when the Duke of Albany will come. He has been at Melros and Driburgh yesterday; many of his hoste came over the Tweed. I feare he shall not dare come within England at this tyme; and if he doo, and bringe great ordynaunce with him, *God willing, he will never carry it home again.* He hath, as is said, assembled 80,000 men.'†

This raid of Albany's, that caused such disturbance and correspondence, came to nothing. Like the 'Fools' raid' of an earlier Albany, it ended ingloriously to all parties concerned. It is very curious to note how anxious the Kings continued to be about the possession of Berwick. Sir Robert Wingfield wrote from Berwick to Wolsey in 1523:

'It is stated that Clariencieux, when sent to Scotland, declared that if the estates promised never to allow Albany to come to Scotland the King would make a truce with them for 16 years, and deliver Berwick to the King of Scots and the Princess Mary if he pleased. I said it was not to be supposed the King loved his daughter so little; and he would as soon think of delivering Calais to the French as Berwick to the Scots.'‡

No, Berwick was invaluable. It was a means of defence, evidently, that could not be rated high enough:

'In the april of this year,' Surrey says, 'he rode to Berwick to ascertain if he could have assistance in ordynance and carriage. Intended to assemble on Monday next the power of Northumberland, with 700 or 800 of the bishopric and garrisons, to overthrow some fortresses in Scotland. In going to Berwick spoke with Philip Dacre, Sheriff of the Shire, who told him cattle was so poor, 12 oxen could not draw one pipe of beer ten miles a day, which their appearance confirmed. At Berwick found the ordnaunce nothing ready: the timber they should be stocked with came into the haven but on Sunday last; must therefore delay his project.'

* MSS. Cott. 'Calig.,' B. iii., fo. 257. † Raine's 'North Durham,' note, p. x.
‡ Brewer's 'State Papers,' 22nd March, 1523.

Surrey, after examining the fortifications of Berwick, gave in the following report:

'For Berwick he more fears than for any other fort on the borders, for undoubtedly it is not tenable under a sege royal, having no bulwark nor fawsbrays, nor any defence but walls, ramparts, and dykes. And as for the Castle, if the Duke [Albany] knew how feeble the walls be and how thin, he would not fail to annoy the same, which would not hold out the batter of six cortortes an hour. There is no remedy to keep the same if he lay siege thereto, but only with force of men's hands, and to have so many within the toun to defend the breaches within the same. For this reason he estimates 6,000 men to be necessary, the toun being 1¾ miles in circumference. The sickness, moreover, is so sore within the toun that men fear to come into it. In the house where the earl himself lay one died full of God's marks.'

He continued, in a letter to Wolsey:

'There are two great breaches in the walls, of which one will take 6 days and the other at least 14 to repair. The least of them is 80 feet long, and a man might lead a horse into the toun. But he has fortified the ramparts with turfs. Has more fear of Berwick than Norham, for there is not a man in the toun but Candish who understands fortifications, and he has work for more than five men. All fortifications at Berwick, Norham, and Wark are done by him. Wishes to know when he will send for more power. There were 1,700 men in Calais and Guisnes, neither of which is in the same danger as Berwick. Fears Albany will do great mischief and return without much loss, unless the army be ready assembled against his coming. Expects he will enter between the 18th and 28th of this month.'*

Surrey delayed his project for a few months, until he had gathered his forces and beasts of burden fitted to pull his waggons across country, and then he entered upon one of the most dreadful raids upon Jedburgh. After it was over, he retired to Berwick, and wrote a long account to his master. Here are a few of its leading features. In comparing Jedburgh with Berwick, he says:

'The toun was moche better than I went it had been, for thare was twoo tymys moo howses then in Berwick, and well buylded, with many honest and faire howses therin sufficient to have lodged one thousand horsemen in garyson, and six good towers ther, which toun and towers bee clerely destroyed, brent and throwen doune.'

On the second night of his lodging near Jedburgh, after Dacre had taken Ferniehirst, this Captain would not bring his horses into the camp, but fastened them by themselves without Surrey's camp, with the following result:

'And he being with me at souper about viii a clok, the horses of his company brak lowse and sodenly ran out of his feld in suche nombre that it caused a marvellous alarome in our feld, and our standinge watch being set, the horses came ronnying along the campe, at whome were shot above one hundred shief of arrowes, and dyvers gonnys, thinking they had been Scots, would have saulted the campe. Fynally the horses were so madde that they ran like wild dere into the feld. Above xv^{c} at the least, in dyvers companys; and in one place above 50 fell doune a great rok and slewe themself, and above ii^{c} ran into the toun being on fyre, and by the women taken and carried awaye

* Brewer's 'State Papers,' 1523.

right evil brent, and many were taken agayne ; but fynally, by that I can esteme by the nombre of theym that I saw goo on foote the next daye, I think there is above viii^{c} lost. I dare not write the wonders that my lord Dacres and all his company doo saye they sawe that nycht vi tymys of spirits and fcrefull sights, and vnyversally all their company saye playnly the devill was that nyght among them vi tymys.

'I assure your grace I found the Scotts at this tyme the boldest men and the hottest that ever I sawe any nacion. If they might assemble xl^{m} as good men as I now sawe xv^{c} or ij^{m}, it wold be an herd encounter to mete them.'

The last sentence shows that Surrey's previous estimate of the Scots was not altogether correct. If Albany had really made an attack upon 'Surrey and his host,' the English would not quite so easily have kept the artillery behind the defeated army. Surrey, having now satisfied his lust of burning and destruction, retired to Newcastle, and reported on the position of Albany to Wolsey. On October 19th, 1523, he wrote:

'The spies all agree that Albany will invade about Friday or Saturday next. He knows that neither Wark nor Norham dare shut their gates against him, and that Berwick will not hold out 6 hours. On the 24, Albany reached Haddington, having now determined, because of the uncertainty of the weather, not to go to the West Coast, but to attack Wark and Norham, which he interpreted to mean Berwick. On the 26th, Surrey moves northward, because of the near approach of the Scots forces ; but he is sure Albany can do no hurt to Berwick.'

Surrey has changed his tone all at once. There were now so many 'good gentlemen and tall men' in Berwick, that he considered it unassailable: it seemingly mattered not that the fortifications had fallen down so that carts and horses could be led into the town. Tall men could frighten these Scots that were found so 'hot' at Jedburgh not three months before—a marvellous change! Norham was likewise safe, but Wark was in a weak state of defence. On the 30th of the same month, he heard the Duke was at Eccles, and had burnt the church there. Next day, he came to Hume Castle, and then approached two miles nearer Berwick, 'but was in a marvellous great fume, for the axle-trees of 5 or 6 of his great guns have broken.' He heard that the Duke intended to starve him out in Berwick ; but there was plenty provision there, though part of the army was obliged to be in the fields. Although the Duke had great power, and was within a short distance, he never dared to enter England ; he, however, determined to attack Norham in a day or two, else disperse his army. On November 4th, Surrey moved his main camp to Barmoor, to be nearer 'the victuaill' of Berwick and to have wood for fires. At this 'poor village' he heard of Albany's retreat, that he had left Eccles and had carried off all his ordnance and was clearly departed.* It seems that Albany very feebly attacked Wark

* This letter was 'Scribbled at Lowike, the poure village, in my Hall, my Kychyn, and my bed-chamber all in one.'—Raine's 'North Durham,' p. xi.

Castle, failed to take it, and retired from the scene and the campaign. He corresponded, for some months, about a peace between the two nations, and in May, 1524, left for France, never again to return to Scotland.* There was now no reason why peace should be longer delayed, so we pass from these warlike scenes to consider what was to be done with all the victual that was laid up in Berwick. A very curious document remains on this subject, showing us the good business habits of Henry's servants in the town.

'Total remayne after provision is made for all necessaries in the north parts: Flower iiij^{c} iiij^{xx} xiiij barrels, Malt m^{l} m^{l} lxx qrs., Otes viij^{c} lxvi qrs., Beannes m^{l} v^{c} qrs., Bacons vj^{c} l flitches, Cheese m^{l} wayecht, Honney xj barrels, Butter ij barrels di. Of these barrels of flower after our opinion it is needful that it remayne at berwyk for these causes: furst, that so much of the whole is fusty and corrupt, especially that which came from Hull. After what is bad is cast out, the residue may be spent in brewing in defaulte of whete. And of the 2700 qrs. of Malt after our opinion it is better that it remayne in berwyk then to charge the Kinge with more freight (that is in taking it back to London), consydering that the price of malt is nothing Southward and lykely to be good in the North, for ther the warres hath troubled the husbandmen; that they have this year sown little barly, by reason whereof the lykelyhed is that it shall be well sold to the King's profit, and not the losse and charge that will be therein yf it be carried Southward. (This is "ferefull" reckoning: the very men who have warred on the Scots and prevented them sowing barley are now reckoning on making profit out of the very destruction they had caused.) As for the Otes remayning, these had better be taken South, and less losse will ensue by shipping them to the Taams for the provision of the King's Stables there to be used: for in the North there will be plenty of Otes. But for the beannes it is good they remaine in Berwyk for the wynter following. They are lykelly to be well sold to the Scots. For the v^{c} l flitches of Bacon, it were good they were sent to Calles, and if they be not there of use the best saille thereof is in Flanders, if so stand it with the King's pleasure. The 29,000 weght of hoppes had better be sent to Sandviche for victualling the shippes of Warre, or els to London and Portesmouth.'

Of course, for all this provision barrels were needed, and coopers must be had to make and mend. But coopers were not plentiful in Berwick, as might have been expected; for we find an account of £3 10s. for 'Presting' seven coopers at Dunkirk to go to Berwick, and 30s. for their carriage to that town. At the same time, £4 10s. was paid for 'Presting' six men of London. Their wages, when here, were 6d. a day: barrels were put together at 5s. the last (12 barrels). Sometimes, for the sake of space in the vessels, the barrels were taken to pieces before they were shipped. 115 last of barrels had been made at Dunkirk, shipped to Berwick, and refitted here for £19 6s. 3d. of Flemish money. Hoops and materials were sent from London in great quantities. Lading of 5,500 clappoles (staves) and 16,000 hoops at London, cost 15s. These were carried from London

* Froude says of this Albany: 'Albany was a man who carried failure written in his very demeanour. When he doth hear anything contrarious to his pleasures, his manner is to take his bonnet suddenly off his head and throw it in the fire. My Lord Dacre doth affirm that at his being in Scotland the last time he did burn above a dozen bonnets in that manner.'

to Berwick by Adrian Johnson, on command of the Cardinal, for £3, and unloaded at Berwick for 33s. 6d.: more than double what it took to load the same at London. 24,500 hoops were sent to Berwick per the *Warkeners:* carriage, 8s. 2d.; customs paid, £2 0s. 5d.; unloading at Berwick, £2 12s. 9d.; and £6 was paid for housing all these goods at Berwick.

These events all happened in the early months of 1524, when the two countries were corresponding about peace-making. At the same time dangerous and destructive raids were planned on neighbouring territories. On Trinity Sunday, the Scots met a company of traders coming to Berwick Fair, which opened on that day, and robbed them of their goods. The English, in return, made a severe inroad into the Merse, and destroyed much property. Both raids were accompanied with severe skirmishing and bloodshed. Queen Margaret, Henry VIII.'s sister, now actively interfered on behalf of peace. 'She has laboured to know the minds of the lords to peace, and they have ordained the Earl of Cassilis, the Laird of Balweary, and Adam Otterburn should pass on Friday, 2nd September, to Berwick, in common with Lord Dacres and the Duke of Norfolk,* and bring

* Surrey, on the death of his father this year, became Duke of Norfolk, and now he was desirous of demitting his charge in the north, and leaving the care of the Borders to Lord Dacres. He had turned querulous as well as tired, and wrote this peevish and ridiculous letter to Wolsey. After trying to convince Wolsey that he ought to remove him, he said:

'I beseche your grace not to think that I am desierous to come away, for that I would take my pleasure in other parties, but I assure your grace that the cause is that both I see I put the King's highnes to greate chardgis and from hensforth shall do little for it. And also upon my trouthe I bere to God and the King I am mervelously afferd that I shall consume and waste away, for as Sir Nicholas Carewe, Sir Fraunces Brian, and the oder gentilmen here can saye, the little flesshe that I had is clene goon, and yet I am not sicke, but in maner I ete very little; and thies 5 weke dayes I never slepte one hole houre withoute wakinge. My myende is soo troubled for feare that any thing shuld frame amys. Which lak of slepe doth take awaye the stomake, and for lake of sustynaunce the flesshe doth goo awaye; but I knowe myself too bee as a working hors is, that sone will lose flesshe and soone recover it agayne, whiche I feare I shall never doo as long as I have this great chardge and contynuell busynes. Wherefore eftsonys mooste humble I beseche your grace to helpe that I may shortly departe hens, and I shall thinke mee more bownde to your grace for the same then an you gave me the plate your grace haith.'

In the next year, 1514, he urged his recall again, and added: 'He has had severe *toothache* and *gumboil*, and he has much business of his own to do.' This was the great Surrey who fought in the English host under his father at Flodden Field; who had been High Admiral of England and Lieutenant-General of the Forces on the Borders; who had boldly and boastfully threatened Albany, leader of the Scots. This was the same Surrey now complaining of the toothache and gumboil. The anti-climax is ridiculous; but we are not in State secrets. He was anxious to get away from the North. He was a stirring man and ambitious, and he wished to be nearer the centre of influence than in the extreme North, and so he put forth these paltry ailments to try and have his withdrawal made sure.

articles containing the desires of the lords, and to send ambassadors during the truce, which it is hoped may be arranged for three or four months.' The following were the terms: 1st. They desire a marriage between the King's daughter and his nephew, assured under the Great Seal and approved in Parliament; 2nd. That James be declared the second person in the realm (England), and have lands assigned him as Prince of that realm; 3rd. That if the King should have a son, he should give James, in recompense for what he is 'put fra,' Berwick and the lands in 'threype,' the debatable lands between England and Scotland. A three months' truce was arranged after some time—a truce that was to last till 3rd December, 1524, but which was renewed more than once during the next year. In December, 1525, a peace for three years was settled, which was signed in Berwick on January 9th, 1526.*

The Earl of Northumberland, at this time, held the post of Warden of the Marches, and Ughtred was his deputy, with the title of Captain. Northumberland did not relish the work, and Surrey was frequently on the scene as Lieutenant of the Forces. D'Arcy was latterly appointed to this office, of which Northumberland had begged to be relieved, and he drew the salary of Warden and Senior Captain of Berwick, which was worth £2,000 in war and £1,000 in peace. But, in July, 1529, shortly before the Cardinal himself was eclipsed, D'Arcy was deprived of these offices. He says that he was colourably and wrongfully voided from the offices of Captain of Berwick and Warden of the Marches, a yearly living of £1,000. 'He voided me upon his promise to recompense me of the offices of Treasurer, Chamberlain, and Customer of Berwick, which by his award and others of the Council I bought of Sir Richard Chomley, and gave to him ready money 40 marks for his goodwill, and worth yearly to me to use by my deputy £50 and twenty pounds in wages.'

It was not often that the Mayor of Berwick troubled these warlike times; but the inhabitants were sometimes stirred into life, and the Mayor must express their feelings. In 1522, an angry expostulation was sent by Henry Beck, the Mayor, because Ughtred did not inform him that the town was in such imminent danger when Albany threatened Berwick. Again, in the year 1526, George Lawson, Paymaster of the Forces, had informed the Mayor and Council that the King intended to reduce the garrison. The Mayor, 'Rauf' Brown, along with other authorities in Berwick, expostulated against the reduction of the strength of the garrison, and added that they had consulted together, and had come to the opinion that they could not hold the town with the old number.

* Rymer's 'Fœdera,' iv. 113.

Rauf, Earl of Westmoreland, was successor to D'Arcy; John Tyndale was made Chief Gunner, at 6d. a day; and Sir W. Bulmer the younger succeeded Sir Thomas Foster, Marshal of Berwick. Bulmer's father was the Captain, under Surrey, who conducted the burning of Jedburgh, so that the son was trained in a good school! The Marshal's fee was 50 marks by the year, with 24 men in wages.

A question of some importance was discussed in Berwick in 1528. James V. sent a memorial to Henry VIII., and complained that Francis Bothwell (or Borthwick) and Adam Hoppare, merchants, of Edinburgh, were not able to carry salmon and salt-fish to London, to Stributhe (Stourbridge) Fair, and other places as they used to do, because Berwick claimed to be the staple of salt-fish.* The same subject occurs in a letter from Magnus, the diplomatist, to Wolsey:

'Since the arrival of the Scots Commissioners [in Berwick, for the purpose of consolidating the peace between the two countries], I have had several conferences with them of the trouble imposed on sundry merchants of Edinburgh and on Adam Ottirburn for carrying salmon to England. This they had long done under the King's safe-conduct, but are now informed against by the poor merchants of Berwick under an old grant, which was never put in force. The merchants of Berwick cannot buy much salmon; and the Scots would rather send it to France or Flanders, on account of the dangers of the harbour.'†

Queen Margaret wrote to Henry VIII., requesting him to discharge the arrest made in the Exchequer, at the suit of the town of Berwick, upon certain salmon belonging to Francis Borthwick and Adam Hoppare, merchants, of Edinburgh, and Alexander Kaye, their factor,‡ whose ships had been arrested for attempting to evade the law. The foolish regulation of making Berwick the place for transhipping goods from England to Scotland, or *vice versâ*, was leading to all this confusion; still, though the destruction of the trade was so seriously threatened, the authorities of Berwick could not think of abolishing the law or abating one tittle of their demands. They even petitioned the King to compel obedience. The trade might be ruined—that they could not help; but they insisted 'that what has been must be.'

The Peace of 1526 was renewed in 1528 for three years more. Angus wrote thus to Henry VIII.: 'The Commissioners met at Berwick on the 8th November, and have appointed to meet there on the 9th prox. for final conclusion of peace. Hope the King will command them to make none, "bot giff my matteris be dressit in the sammyn;" otherwise he and his friends will be utterly destroyed, and will never be able to serve the King; for the peace is desired by Scotland only for his destruction.' Angus had married Queen Margaret, and had quarrelled,

* Brewer's 'State Papers.' † *Ibid.*, 1528. ‡ *Ibid.*

and afterwards did everything in his power to annoy Scotland. The Queen was anxious for peace; therefore, it behoved Angus to go against it.*

George Lawson, Paymaster, had been gradually increasing in influence. There is a grant to him, in 1530, of the rule and oversight of the King's 'brewhouses, bakhouses, milles, storehouses, garners, stables, lately repaired and rebuilt in the town of Berwyk and at the Hooly Island, with the romes of three soldiers in the old ordinary retinue of the said town,' each of them to have 4d. a day for wages, of one cooper, one brewer, and one captain to be appointed by Lawson. No sooner did he secure this influence in town than he gained the envy of his neighbours. Sir Thomas Strangeways† requested the captaincy of Norham: 'If it be objected that an officer should not be captain of both Norham and Berwick, then Richard Chomley was both. Berwick is more secure, in fact, having an officer who can command so many men. He complains that he has been badly used by the Vice-Captain of Berwick. Never was Marshal so treated. Requests that George Lawson—who, he thinks, has been the chief cause of the difficulty—be instructed to pay his whole retinue from the date of his patent. Lawson is at Berwick Receiver, Treasurer, Master of the Ordnance, Letter and Setter of the King's Revenues, Customer, Controller, Bridge Master, Master Carpenter, and Master Mason. Wishes Wolsey knew how these offices are discharged.' If Lawson occupied all these offices, it is pretty certain that some of them must have been neglected.

* Angus was now in Scotland. He had been a number of years at Henry's Court; but it no longer suited that King to keep him, and he, in passing north to Scotland, went through Berwick, where he left his young daughter in charge of James Strangeways, who thus reported of his charge. He wrote to Wolsey in 1529:

'Has received Wolsey's orders that I shall kepe styll with me yn my howys my lade Marg[t] dowhtter to the Erle of Angus, and ferther that I schulde tak good heyd and attendans to be suerye of heyr and zytt thatt she myhtt hawe as mych lybertte and recreacion and rather mor than sche hade. I had so used her before receving your orders, for I was warnyd thatt wythowght I towyk good heyd and lukyd surly to hyr sche wolde be stollyn and withdrawyn yn to Scottlande. She was never merrier nor happier than she is now, as she often admits. My Lord of Angus when he first brought her to me desired me to tak her to my hous, and he would content me both for herself and her gentlewoman and such as should wait upon and resort to her. I shewed his grace that as you were her godfather, and he was not provided with a convenient residence for her, I would take her and provide for her until I knew your grace's pleasure. Now I have had her, her gentlewoman, and a man servant, with other of their friends and servants at certain times and for the most part my said lord of Angus her father for 3 months without any cost to him or any of them, and I am ready to accomplish your grace's wishes. For in good faith I neither have nor will have this master; but only your grace, and by my good I shall never be so long from your grace as I have been.'

This is a very curious incident; no further light is obtainable. But of the young lady herself the story is stirring and eventful. She was the daughter of royalty, and became the mother of kings. Henry VIII. was her uncle, Henry VII. her grandfather. She was the mother of Darnley, the husband of Mary Queen of Scots. One is glad even to think of her now as merry and happy. She had time in after years to grow sad and weary.

† Strangeways was of a Yorkshire family. He held part of Wooler Barony.

Positions in Berwick were at present in request. Sir Thomas Clyfford gave 1,000 marks to Ughtred for the goodwill and reversion of his offices; and, more remarkable still, the Earl of Northumberland, who was at this time Warden of the Marches, in 1535, complained of poverty, and petitioned for the Captaincy of Berwick, and offered 1,000 marks for it. Writing to Secretary Cromwell, he says: 'And, good Mr. Secretary, I shall not fail to give you 1,000 merks for the same bringing it to pass. And, good Mr. Secretary, as my trust is in you, do for me now; and our Lord have you in his keeping.' These honourable men were more careful about their salaries than about the duties they had to perform; yet some devised plans for the town's defence, and gave great promises, if their performances were small. Norfolk had some eight or ten plans for fortifying and rebuilding places on the Borders, and for building a citadel in Berwick. He boasted that this town would soon be one of the strongest places in Christendom. Whether this was said for fear of the Scots or for getting money from the people, the writer says not. Perhaps both reasons were right.* He had boasted of building citadels, yet Lawson could not get money for necessary repairs. The tower of the White Wall was sore undermined with water. The King's bakehouses, brewhouses, mills, garners, and storehouses, as well on the Nesse and Walles Green in Berwick as within the castle, were much decayed, owing to the late tempestuous weather. Next year the walls were reported as being in a very bad state. Sir Thomas Clyfford, while Captain, thus wrote to the King:

'Has often informed the King of the ruinous state of Berwick. Those sent down will report of toun and castle. When Clyfford was with the King, he left an account of them, but since then the decayes have greatly increased. The time of year is favourable for repairs. Otherwise no defence can be made against an enemy upon "the high of the walls, for the bulwarks are clearly decayed, and the *towers* and *murderers* in such case as for danger of falling of the same to the ground there can no ordnance be occupied by the gunners within the most part of them.'

Sir George Lawson in the same year reported:

'There fell a peece of the wall adjoining Percy Tower, and another peece inside one of the towers belonging to the castle. There are various decays. The toun walls towards the haven are sore undermined with water; the ice this winter has endangered the bridge, which is all of timber, and driven away to the sea many of the fenders and posts of the same.'†

The whole town needed repair, and this was no exaggeration, if we may judge from a very minute survey taken about this period, and of which more use will yet be made. The Cawe Mills, at this time, became a source of great trouble. In 1532, they were in Scotch hands; but, according to Lawson:

'My Lord Warden, Sir Thomas Clifford, Sir Arthur d'Arcy, Sir R. Tempest, with your whole garrisons, both of the 1st 2000 men and of the 1500 men laid on the borders, besieged a pele

* Chapnys to Charles V., Henry VIII.'s 'State Papers,' 1535. † Brewer's 'State Papers.'

called Cawe Mylls in Scotland, outside Berwick, which after a long defence yielded, and has been delivered to the keeping of Angus (a renegade Scot). After it came to English hands, Lawson wrote to Cromwell: "The sayde Cawe Mylls might be mayde strong with some expense, for there is a stone quarry near the tower and limestone at hand. There is also on the south side towards Berwick, where hath been a barmikyn now decayed, a dry dyke, which would have to be made deeper, and the barmikyn wall rebuilt of a good thickness and height, with a strong gate and a draw bridge. These Caw Mylls have ever been a den of thieves and a great enemy to the toun of Berwick, often stealing their sheep; so if the King do not approve of repairing them, Lawson thinks they ought to be cast down to the ground, and the stones thrown into the Whittetarre water that runneth into the Tweed under the same Cawe Mylls.'*

Magnus, the diplomatist, wrote to Cromwell, July 1st, 1533:

'We have not been able to proceed so rapidly in treating for an abstinence with the Commissioners of Scotland, because they will not conclude unless they have a poor thing called Cawmylls on the ground of Scotland, 2 miles from Berwick.'

Then, on 26th July:

'The Scotts intend to steale Caw Mylls. George Douglas says so. We have written to the Scotch commissioners about it. This truce is to last for 30 days. Cawemylles so uncovered is not able to keep 16 persons. The Scots at all times in such readiness that with the assembling of 5 gentlemen, viz., the Lord Hoome and Alexr. Hoome for the Marse, the Lord Bauclough, Dan Carre of Farniehirst, and Marke Carr for Tevidale, 5000 men may so sodainely be maide without proclamation to assemble at Cawmylls within 24 hours—not to be resisted with the power of Northumberland without aid of the Bishoprick of Durham and other places, and this cannot be done in 4 or 5 days.'†

But the Caw Mylles, that had caused so much trouble, were at last given up to the Scots, and the Treaty of 1528 confirmed in 1534.

We have passed over the terrible raid of 1532-33. While the countries were corresponding as to truces and treaties of peace, Henry's officers were waging war upon the Borders as relentlessly as ever. These were undoubtedly undertaken at Henry's instigation. The Governor of Berwick in 1532 reported:

'According to your most dread commandment for me to invade the realm of Scotland, and there to destroy, waste, and burn corn and towns to their most annoyances, he took upon him an enterprise into Tevidale and the Merse. On the 11th Dec., at 11 o'clock, he invaded Scotland with a great host. On the following day he sent two forays, and at daybreak he raised the fire. Dunglass and the Lothians suffered, as well as Raynton, Aldhamstocks, "Cobbirspeth, Conwood, Honwood, 2 Rustayns, Blackhill and Hill End, 2 Atons, and wan the Barmkeyn then." "Seaced 2000 noyte and above 4000 sheep, and above wich all the insight coryn, implyments of household estemed to a great somme."'‡ He adds: 'Thankes be to God (?) there is not pele, gentleman's house, nor grange unbrynt and destroyed, and that immediately the day was gone they did come to your Highness's town of Berwick, loved be God, to the great annoyances of your grace's enemies, and to the safety of all your higness subjects. I shall pray that the same act may be accepted to your noble contentation, which hath not been done afore at any time as by the memory of man can be known.'§

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* Brewer's 'State Papers,' 1532.

† Raine, quoting 'Calig.,' B. iii. 161.

‡ Tate's 'History of Alnwick,' i. 210.

§ Brewer's 'State Papers,' 1532.

Thus he boasted of having done the greatest deed of any man upon the Borders; but, sad to say, he was to be outdone, for still more terrific raids took place in the future.

During the few years that followed this raid, not much of importance occurred. Diplomatists were busy trying to work out problems with England and with France, but were not very successful. Neither time nor space will allow us to follow the whole of Henry's reign so closely as we have done this part of it; so, without omitting any fact of importance to our local record, we pass on to 1537, when Sir Thomas Clyfford was still Captain of Berwick. James of Scotland had been to France for his first wife Magdalen, and had returned again to his country, when Sir Thomas wrote to the English King:

'He hears from his spies that the King of Scots, ever since his return to Scotland, hath "omytted all manner of pastimes or pleasures, and hath exercised himself with vewing, frayminge, and putinge in a redines his ordenance lying in his Castells of Dunbar, Temptallone, and very place in these parts of his realme;" and for the last month he has, twice every week, along with a small company, about 12 o'clock at night, come to Dunbar and stayed there two or three days at a time, and hath returned again by night. But he has exercised his cannon that they are all in perfect readiness for a forward movement. Now, I have felt myself bound to let your Majesty know how the King doth all in a secret manner, and that he hath left off all princely pastimes and pleasures; and now, since this town's defences are in extreme ruin and decay, I desire to know your pleasure concerning it. It is likewise in a manner destitute of "vitells, gunpowder, and other necessaries defensyve. It is only I am very desirous to ensure the safety of this town that I thus write. It might please your Majesty to let your subjects of Yorkshire, Northumberland, and Durham know that they would be at my call in sudden danger, and should repayr thither for the town's defence.'

But, notwithstanding the alarm of Clyfford, the Scots made no attempt at this time on Berwick, and matters between the countries did not lead to open war for a few years. Here is a description of Berwick, belonging to this period, which may be read with interest. It is the introductory lines to an old tale called the 'Freirs of Berwick,' supposed to have been written by Dunbar the poet, probably about the year 1539:

'As it befell and hapint upon deid,
Upon ane rever the quhilk is callit Tweid:
At Tweidis mouthe thair stands ane nob. . Toun
Quhair mony lords hes bene of grit renoune,
And mony wourthy ladeis fair of face,
Quhair mony fresche lusty galand was.
Into this toune, the quhilk is callit Berwik,
Apon the sey thair standis nane it lyk,
For it is wallit weill about with stane,
And dowbil stankes castin mony ane.

And syne the castell is so strong and wicht,
With staitelie towrs, and turrats he on hicht,
With kimalis wrocht craftelie with-all ;
The portcullis most subtellie to fall,
Quhen that thame list to draw thame upon hicht,
That it may be into na mannis micht,
To win that hous by craft or subtiltie.
Thairto it is maist fair all uterrlie ;
Into my tyme, quhairever I have bein
Most fair, most gudelie, most pleasand to be sene ;
The toun, the castel, and the plesand land,
The sea wallis upon the uther hand,
The grit Croce kirk, and eik the Masondew ;
The freirs of Jacobinis, quhyt of hew,
The Carmelites, Augustins, Minors eik,
The four ordours of freiris war nocht to seik.'

The description is vivid and wonderfully exact. It touches upon the prominent parts, and brings them into full relief. In 1542, unsuccessful marauding expeditions were again made into Scotland. The first took place under Sir Robert Bowes, who was driven back at Haddon Rigg with loss ; the second under Norfolk, who penetrated to Kelso and Farnington. Not relishing his work at this time, he withdrew his forces and retreated to Berwick. James V. of Scotland died in this year, shortly after this raid of Norfolk's, and left behind him a daughter, a few hours old, to rule his turbulent kingdom. Henry VIII. had tried long, whether sincerely or not cannot be known, to break off Scotland from the French alliance, and join it in league with England. Now came a chance of accomplishing this. Here was a daughter of the Scotch King, who might be married to his son; so he at once entered on negotiations to carry out this project. Articles were drawn up and preliminaries arranged. She was, on arriving at her twelfth year, to be delivered to commissioners at Berwick, and handed over to Edward, who was to reign after Henry. However, he was baulked in this marriage scheme by French intrigues and by the false dealing of his own friends. Enraged by this disappointment, he issued orders to the Earl of Hertford to burn and ravage Scotland. The years that now follow witnessed fearful inroads, especially 1544-46 ; and his servants had no choice. Their orders were 'to put all to fire and sword, to burn Edinburgh town, to raze and deface it when you have sacked and gotten what you can of it, as there may remain for ever perpetual memory of the vengeance of God lighted upon it for their falsehood and disloyalty. Sack Holyrood House, and as many towns and villages about Edinburgh as you conveniently can ; sack Leith, and burn and subvert it, and all the rest, putting

man, woman, and child to fire and sword, without any exception, when any resistance shall be made against you.' Thus wrote the Christian King, Henry VIII., Defender of the Faith. We shall see what share Berwick had in this disgraceful work. Incursions were now of daily occurrence. Lord Eure, Governor of Berwick; his son, Sir Ralph; and Lord Wharton, Warden of the Middle Marches, were constant leaders of these. Space can only be spared for a few examples:

'18th June, 1549. Sir Geo. Bowes, Sir John Wetherington, my son, Herry Eure, Liell Gray, with the company and garrison men of this town of Barwycke to the number of iij^{c} men, asked a town to be given up in the Merse, and the inhabitants would not give it up, wherupon they made an earnest salt iiij or vj howres to gethir and laid fyer to yt and burnt the Dortor and Cloyster, and all other howses and logyngs, saving the churche only and the steple which wold not bourne, and slew a monke and other ther, and hurt dyvers with bowes and handgonnes and gotte nowght and insight geres. Scots slayne, iiij.

'16th July. Sir Jorge Bowes, Sir Bryant Layton, my son Harry Ewry, John Horsley, and Lyell Gray, etc., with viij^{xx} men, rode into Scotland, and on Thursday, the xvii of the same, burnt Dunse, a market town, *which was not burnt there many yeres*, and gotte baggage and other insight gere. Naggs xvi. Scotts slayne vi, and divers taken.

'24th September. Gower, Ewry, Gray, and garrison of Barwik, etc., cam and mett at a tower on the Marse called Hutton Hall, belonging to the Lord Hwme, seased, burned the Hall, and so cam down the Whittater wher ther is very strange coves in crags and quarrels; these wan the said coves and slew in tow of them that was holden ix or x men, and toke in the other coves that gave over xii prisoners, whereof divers of them was very sore hurt; and they wan in said coves xvi good horses and naggs; it was thought by the captaynes that if the Scottes had bine well harted it had bene impossible to have won with any invencon, for ther was but passage for one man to come to the dere at ones, and it was xiiij or xv faldom upright of clife, and iiij faldom overheades of clife upright; and so they brought away within three days a thousand boules of corne. Prisoners xvi, horse and naggs xvi, Scots slayne x, corn brought m boules.'

Further details cannot be given. The same raiding took place all along the Border. The summing-up of the year's work is something fearful, and shows what an amount of suffering must have been endured by that distracted country. The 'Bloody Ledger' of 1544, from July to November, contains 192 small villages, towers, farm offices, parish churches, dwelling-places, burned or destroyed. There were taken 10,186 cattle, 12,492 sheep, and 1,496 nags, geldings, and foals. Next year the Earl of Hertford was the leader of the shameful campaign. During his inroad, which lasted fifteen days, the English burnt 7 monasteries and religious houses, 16 castles and towns, 5 market-towns, 243 villages, 3 mills, and 3 hospitals.

Soldiers were brave enough in those days. They could stand face to face with the enemy as well as now, but they were far more cruel. Such merciless sufferings as were inflicted upon the Borders for the rest of this century have certainly never been equalled, except in the most barbarous countries of any age. Yet

reports of them were despatched to Henry VIII., and doers of such deeds exulted in their performances, and thanked God that they were able to be so merciless!

It does not come within our purpose to detail Hertford's campaign of 1544, when he landed at Leith, and sacked Edinburgh and Leith, and places adjacent. He returned by Dunbar* to Berwick, and thence to London. We cannot, however, pass from the campaign of 1545 without a slight divergence. Eure and Laiton had performed their dastardly work so satisfactorily to King Henry that they were despatched on similar errands in 1545, with the promise that they were to possess the lands they subdued. Angus, understanding that they would again attack Teviotdale, where a great part of his lands lay, threatened to write their seisin of the land in blood. Notwithstanding the threat, they attacked this harassed district once more, and at first were most successful. But Angus,† pursuing them southwards, came up with them at Ancrum Moor, and after a hotly contested fight the English were driven back, their leaders, Sir Ralph Eure and Sir Brian Latoun, being left dead on the battle-field.‡ Thus ended the career of two of Scotland's bitterest foes—generals who gloated over the havoc they wrought upon the Borders.

This was the only great exploit of the Scots in these two years; but, in 1546, strengthened by a French contingent, they tried to measure swords with the English on their own ground. Their first raid was upon Horncliff. The Earls of Home and Bothwell, and the Abbots of Dryburgh and Jedburgh, with certain companies of Frenchmen in the service of Scotland, amounting to about 3,000 men, made an incursion into Northumberland, and having burned Horncliff on the Tweed, were destroying Thornton and Shoreswood, when the garrison of Norham sallied forth, and drove them back to New Water Ford, where 200 of the Scots were drowned or killed, and 60 made prisoners. This affray, although exhibiting the courage of the Scots, certainly did not terminate to their honour.

We must return for a moment to 1544. Sir Robert Bowes and Sir Ralph Ellerker, knights, were appointed a Commission to survey the Borders, and report on all the places of strength. As far as it relates to Berwick, we have as follows:

'First, we, the said commissioners named in the said commission hereunto annexed for the

* In reporting the burning of Dunbar, he says it burnt 'handsomely.'

† The Angus who married Margaret, now on the national side in Scotland.

‡ Redpath, generally so accurate, is not sure what to call this battle. It was fought on the ridge now called Lillyard's or Liliard's Edge, the modern name of 'Lilyot's Cross.' Connected with this is the legendary story of Lady Liliard, 'who fought upon her stumps' at this battle, which is called 'Panierhough' by the old chroniclers. This is a mistake for Penielheugh, a height to the south of the field of battle, where the English were encamped before the fight.

performance and accomplishment of the Kings majesties most gracyous pleasure and comandment unto us prescrybed in the seconde branche or artykle of the commission aforesaid, repaired and come to his Majesties Town of Berwick upon Tweed, the 8th day of October the yere aforesaid, when we vewed and did see as well the Castell as the Town and all the great and sumptuous works and buyldings, as well such as beene already performed and done as those that bene decayed and in doyinge are intended to be done to the defense of the same.

'The description whereof we omytte and forbeare, because the said castell and town haith bene of late sondrye tymes vewed, descrybed, and sett forthe in picture and plate by men of high and notable consyderacons and experyence in such devyses, the whiche we doubte not hawe made thereof a true and plaine declaration and repute unto the Kynges Majesty much more ingenyouslie and discretely then our simple wittes (lackinge of such things experyence) can conceyve or declare. The felds or terrytorye of Barwycke aforesaid, comonly called the Barwycke bounds, are envyrouned and devyded from Scotland by a notoryouse Bounder called the Bound rode, which ys ofte tymes perambulate and rydden about by the garryson and inhabitants of the said castell and town of Barwycke at the commandment of the captain of the same, by reason whereof the said metas and bounds be so notoryously known that no dyfference or controversye aryseth upon the occupacon thereof in tyme of peace, and thereyn is no waste grounde but that ys all occupied as haye ground or pasture by the captaine, the souldeyors, and other the inhabytants of the said Castell and Town of Barwycke with their horses and other their shepe and catalle.

'At Twedmouth upon the Southe syde of the ryver of Twede for anenst Berwick there ys two lyttel towers in reasonable good reparacons; the one belongeth to the hospytal of Kepeyr within the Byshopprycke of Dureysme; the inheritor of the other is not named.'

The whole survey closes in naming the fords of the Tweed. Within the bounds of Berwick these were:

'1st. The lowest forde over the said water next the sea entre into the said ryver in the South Syde of the same for anenst the Church of Tvedmouth, and goeth right for against the water gate of Barwycke (the quay port) to Barwyke shore northwarde.

'2nd. The next passage is over at Barwycke Brigge, which is ever suerly kept and garded that none shall pass over that waye but at the pleasure and sufferance of the Captayne and Porters of the said Toune of Barwyck.

'3rd. A lyttle above that there ys a forde called Barwycke Streames, streachyng over the said ryver a lytel above the Castell.

'4th. And the furde above that ys called South Yare, going from the feldes of Urde into the Castell fielde of Barwyke, and now the same ys devyded in two furdes.

'5th. The Nether Bells above Whytteter mouth.

'6th. Yare Forde, towards the feld of Pakeston on North Side, and enters in at Ureclyffe (Horncliff) on the South Side, etc., etc.'

This account of Berwick is interesting, for it is from an eye-witness. The description of the Fords of the Tweed shows that the course of the water has scarcely changed, and that the shallows have mostly maintained their positions for over 300 years.

Henry VIII. died in January, 1547, and with him died a most bitter enemy to the Scots. With more truth than in the case of Edward I. could this King be called 'Malleus Scottorum.' The wars of the latter were all underhand and

cunningly devised. His officers were let loose on predatory and slaughtering expeditions. He simply kept pounding at the nation till life was almost pounded out of it. This kind of warfare had a terribly degenerating effect upon the people. The cruelties done upon the Borders were past all belief. Prisoners of war were not held sacred. If the Scots caught an Englishman, they killed him, and treated him with every species of barbarity. Like wild savages, they wrenched pieces of flesh from his body, and waved them overhead on their spear-points. John Brend, Muster Master in 1548, wrote of the garrison of Berwick and of its inhabitants, 'There is better order among the Tartars than in this town; no man can have anything unstolen; none but Scots can be harboured but by force: the price of victuals is excessive.' Nothing more could be expected of such a garrison. Every night it was raiding into Scotland—burning, robbing, slaying, and gratifying the lust of its right worshipful King. It is melancholy to think that, even with this King's death, this terrible work did not cease, but was carried on for at least another fifty years.

CHAPTER VIII.

AFTER Henry's death, the Earl of Hertford, who had been a forcible instrument in that King's hand for hammering Scotland during these latter years, became Governor of England and Protector of the Realm, under his nephew Edward VI. The walls were immediately reported upon, and a letter sent from Berwick to this new Governor, with a report to this effect: 'The walls of Berwick are in great need of repair, and also the Bridge, which has been shaken by the passage of ordnance and warlike stores and victuals, and would not serve again in like case. We beg an order to the Bridge Master and Surveyor to view and amend the walls, for the longer the decay the greater will be the charge. A new alarum Bell is wanted for the day Watch Tower, to warn not only the garrison but inhabitants to rise on any sudden fray; the old one being riven so that the sound cannot be well heard.' The same alarm, that had so often disturbed the garrison, began to creep over it. An attack of the Scots was expected. Lord Eure, on the 13th July, wrote to Somerset: 'A number of galleys have passed toward Scotland. They have landed at Eyemouth and Coldingham, and have joined the Governor of Scotland and the Scotch army. I think the town is threatened; but I trust to be able to defend it till assistance comes. I desire instructions.' Then he added, as a postscript, 'They have again left Eyemouth, and gone northward. The Scotch army is at Melrose, Selkirk, Peebles. I will watch them further.'

The Scots were irrepressible. Hammered and beaten as they were, yet they rose again to battle; and now they were beginning to put on a bolder form, for they were assisted by their old ally the French. The prospect of the marriage of the Dauphin to the Queen of Scots forced the French King to send men and money to the Scots to enable them to oppose the common enemy.

The Protector evidently thought the Scots could be beaten and the country subdued by one fell blow, so he hastened north to strike it. The muster was at Berwick. On the 30th of August he arrived in the town along with Sir Nicholas Strellie, the Captain there, and met his army of 20,000 men. Order was given next day for everyone to provide himself with four days' victuals, to be carried forth with him in carts. On Friday, the 2nd of September, all, save the Council, left Berwick, and encamped two flight-shots from the town. The same day, the Earl of Warwick and Sir R. Sadler arrived from Newcastle, and went to the army. On Sunday, the 4th, the Protector left Berwick, and joined the camp at Reston. The army went on by the Peathes and Dunbar, and fought shortly afterwards the disastrous and disgraceful battle of Pinkie, where the Scots lost dignity as well as honour. Somerset returned by Soutra Hill, going on by Berwick into England. He had enough work there to keep his hands and his head busy; so Scotland was left, after that battle, to manage its own affairs. Lord Shrewsbury, whom Somerset left behind in charge, very soon followed him southwards, and left Lord Grey of Wilton to keep the northern kingdom in check. In 1548 there was a good deal of fighting around Haddington, and wounded English soldiers were brought to Berwick: and now we have another instance of the utter demoralization of this district. Hear John Brend again: 'The poor soldiers that came back from Haddington and other places are shut out of their houses, unprovided with victuals, and die for want of relief on the streets, against the good order of all towns and against all justice.'* It was in 1549—when the garrison was at its worst, when the town was in so disgraceful a condition that the dead and dying

* 'State Papers' of Edward VI., 1548. The Berwickians had early begun to act against all justice, as witness this story, July, 1316: 'Harquin, King of Norway, acknowledges the receipt of Edward II.'s letter, setting forth the complaint of the Burgesses of Berwick, that the Norwegians had taken a ship belonging to them in the Norwegian port of "Delwykum." To this he answered that certain merchants of Berwick, being in a port of his kingdom called "Widahel," invited of his knight, President of that province, then engaged there about his business, under peace and friendship, with 10 other lords, nobles of his kingdom, to dine with them on board their vessel; and the said knight, together with the noblemen, unconscious of any evil, nor having the least suspicion, went to dine, totally unarmed, and trusting themselves entirely to their faithfulness, he sent home all their men and servants, to save the merchants and sailors the expense of entertaining them. But the merchants and sailors, satellites of Satan, and ministers of the devil, thirsting to shed innocent blood, turned the joy of the feast into the wickedness of homicide, threw boiling water and burning cinders upon them for the second dish, and some of the sailors, being fraudulently and secretly armed with daggers, knives, and swords, rushed upon them when they were so scalded and stupyfied, cruelly killing them. And because the kindred of that knight and other nobles and their heirs and wives complained grievously that a crime so enormous and cruel should remain unpunished, the King of Norway permitted the ship to be taken within his dominion by the relatives and heirs of the murdered persons, the cause afterwards justifying their capture.'

were uncared for—that John Knox appeared in Berwick as a preacher. He had been liberated from the French galleys in this year. He passed into England, was engaged by the Privy Council to preach, and was located in Berwick for the next two years. Here, in the old parish church, he preached to the white-and-green-coated soldiers of King Edward. Here, for the first time, they heard a 'Gospeller,' who was as much a 'good soldier' as the best of them—a redoubted man of war, who feared not the face of man—a warrior 'clothed in the whole armour of God' —a master of all his weapons—a preacher who seemed to have a special call to be an evangelist to soldiers; for the language he liked best, and the figures of speech he made use of, were those of soldiership and of battle.* And what was the effect of his influence upon poor Berwick? Let himself speak: 'I ashame not, madam [the Scottish Queen], further to affirm that God so blessed my weak labours that in Berwick (where commonly before there used to be slaughter, by reason of quarrells that used to arise amongst soldiers), there was a great quietness all the time I remained there, as there is this day in Edinburgh.'† Wonderful change! We have no doubt that these two years of faithful preaching left an enduring effect upon the town. We shall see traces of it not only in the quietness and Christianity of the people, but in their tendency to dissent, which has characterized them to this day. In 1551, he left Berwick for Newcastle.

The dread of a French attack upon Berwick began more and more to prevail. The alarm was raised by Dr. Wotton and Sir John Mason, the French correspondents of the English Government. Wotton, in February, 1549, wrote that it was said Berwick, which they reckoned easy to be won, was to be besieged the first thing next year. The Council wrote to Mason that they had heard from the Captain and Bowes that the Governor (Arran‡) was at Edinburgh with all the French troops in Scotland, and the complement of five or six Scottish ships, for the purpose, as was reported, of going to the Border to punish certain thieves in Liddesdale, but, in reality, as the Captain of Berwick was informed, to make a sudden attack upon that town. Of this they had apprized Lansac, the French ambassador, who was immediately to despatch a messenger to Scotland to prevent hostilities. Another point of fear was the old sore of Edrington. The English had held it since the beginning of the war. They now returned it to the Scots, and allowed them to fish in the Tweed, a right they had tried to wrest from them.

The Earl of Northumberland, created anew in this short reign, obtained the appointment of Warden of the East Marches. He visited and inspected Berwick;

* Lorimer's 'Knox,' p. 21. † *Ibid.*, p. 16.

‡ 'Whoever has the E. of Arren is no more sure of him than he that hath an ele by the tayle.' —Raine's 'North Durham,' p. xiv.

but the part he was playing in the State demanded his presence in London, and he, with a salary of £1,000, left his duties to be performed by deputy. As the defence of Berwick was weak, he, while Warden, ordered a new fort to be erected at a great expense—a fort of four ramparts to strengthen the walls towards the sea. This was the large stone fort, the ruins of which are still to be seen in the fields near the Bell Tower. It is not mentioned in Henry VIII.'s minute survey, which speaks of an earthern rampart in its place. In Edward's reign vast sums were spent on the fortifications of the town—as much as £6,000 in one year. The old walls were very soon after this abandoned, and there was no other stone fort upon which such sums could have been expended. The two countries were nominally at peace, but it was certainly nothing more than an armed armistice. Henry, Marquis of Dorset, had acted as a deputy for Northumberland when Sir Nicholas Strellie was Captain. The Marquis evidently was not satisfied with his appointment to this northern post. In a despatch he uses strong, and not at all complimentary language. He wrote to Secretary Cecil in 1551: 'Thanks for your furtherance of my suit to Council, to whom I have written for money to relieve the poor garrisons here on their lamentable complaints. I long to hear from you, as they that inhabit hell would gladly hear how they do that be in heaven.'

Sir Nicholas, determined to bring the town into better order, issued a number of articles for its better government, which are here inserted on account of their general interest. They are dated 1552:

'(1) That all patent officers be resident, and do not depart without special licence.

'(2) That English ships be restrained from trading to Scotland, but that all goods be bought, sold, and customed at Berwick, according to statute of 22 Edward IV., as the English trading direct to Scotland prevents the Scots trading to Berwick as formerly.

'(3) That Holy Island be made a fishing town, and *all the fish brought to Berwick*, which would occasion trade thither, and increase the number of mariners.

'(4) That the Captain, Council, and garrison choose a burgess to Parliament as done in Calais, since the burgesses chosen by the Freemen little regard the profit of the soldiers. That the freemen be compelled to make up their Tolbooth, which should be the council-house and their prisons, the want of which hinders justice.

'(5) That they be compelled to pave their streets, which are so foul that on alarm the soldiers cannot pass through to repair the walls.

'(6) That the Captain and Council join with the Mayor to set the market prices of victuals, and that soldiers be allowed to buy them at first hand.

'(7) That a southern man, as likely to be more impartial, one learned in the laws, be appointed recorder, justice being hindered for want of one who can give counsel; and that for his living he may have one week's fishing in the Tweed, which would be a small burden amongst the freemen.

'(8) That the Tithes of Bamboroughshire may be restored for victualling the castle of Berwick, they having lately been demised by the Court of Augmentation to gentlemen who sell the grain to

market, so that the Captain has to make his provision in Berwick, which the inhabitants think to be a hindrance.

'(9) That the statutes of the town be set forth by Parliament.'

The statutes which he mentions were a large number of statutes which were existing at this time for the government of the town, and which will be referred to at some length when the year 1560 comes under discussion.

The new fort, now built, became an object of great care. Alexander Brett was appointed Porter of it, as the person holding that post was unfit for the task. Alexander Ridgeway, Surveyor of the Town, was ordered to increase the workmen to 500 in number, who might, in a case of necessity, be set in the new fort, which was undoubtedly of the greatest importance against any attack from the north. At this era a grievance came to the surface, which assumed alarming proportions in after-times. Lord John Conyers, a Deputy-Governor of Berwick, reported that Richard Saunders, a captain, had sneaked away without paying his debts. He owed six or seven score pounds. In the future history of the garrison this will be seen to be a very small beginning of the losses which the inhabitants had to suffer at the hands of the garrison and soldiers.

This was still a lamentable time on the Borders. Raids were continuing, but the English, having become tired of quarrelling with the Scots, and so desirous of a new field of warfare, began to quarrel among themselves. The first of these quarrels took place in 1557. In 1554, Giles Heron, who was related to the Herons of Ford, became Treasurer of Berwick. At this crisis the estate of Ford became a matter of dispute. George Heron, of Chipchase, claimed it as heir by entail. Thomas Carr claimed it by right of his wife Elizabeth, who was heir of Sir William Heron. The Carrs were in possession on the 28th April* (March), when John Dyxon, one of the constables of Berwick, and fourteen of the garrison, took forcible possession of the Castle of Ford on behalf of Heron. In doing this they expelled five men (Carr's brother being one of them), and three women-servants. On the Sunday morning following, Ralph Grey, of Chillingham, Robert Barrow, Mayor of Berwick, and Giles Heron, Treasurer, and thirty others, proceeded to the castle to secure it against the Carrs. They were met under the castle walls by a small band of six or seven men, headed by Robert Carr (he who had been ousted on the previous day). Here a skirmish took place, in which the Mayor of Berwick was killed, and the Treasurer of Berwick and one or two more of the company somewhat hurt and wounded. The result is thus set forth: 'Considering the enemy of Scotland we heve, God knoweth, lytle neede of anye

* April is in Raine; but the account in the 'Talbot Papers,' which was written for the Government, is dated April 3rd, so that the occurrence must have taken place in March.

cyville or domestyque division or dissension amonges ourselves. To ascertain your Lordshipps what wee thinks this hundreth yeres fore passed, never hapened there so perilous a sede of malicefull dissention and hatred to be sowen in this countrey as is presentlye inplanting and like to take rote if the same be not hastely met withal and prevented by grudges and hatred growing about the premises almost throughout the hole contre, the most part of general thereof being divided into two partes.'* In this year Lord Eure was Governor of Town and Castle, and, dissatisfied with the pay to his poor garrison of horsemen, he wrote for an increase on the following grounds: 'Each man has only iijd. or iijd. ob. by the day, wherewith they are not hable to sarve upon the occaysons as appeareth in said supplication. All other horsemen have xiid. by the day, and ther contre neabors have ixd., and yet their service is more chargeable than any of them.' He proceeded to acquaint the Queen with various shortcomings on the part of her officers in Berwick: 'Thomas Carey is Marshall of the Horse, and has had no training for the same, and he wishes Carey removed, and another fit man put in his place. Sir R. Ellerker, Chamberlain, has not used his office since before the wars began (1542), and long before. Allan Bellington, the Treasurer, is now absent; and Sir John Selby, the Head Porter, is not in his office to sarve, as he ought to be.'

This was an awkward position for Berwick: not a single official in his place for any sudden emergency, not even for payment of the soldiers under them. Eure adds a postscript to his letter:

'This last night we did send lx horsemen fourthe at the Postronne of the Castell who hath set fyer to the town called Haydon Crawe, viij myles from Barwyk, ther set upon them lyke the nombre of xxx Scottsmen. They hurt two of the Souldeours horses, and in that encountre the Scotts had the overthrowe, two of them slayn and others hurt: the Souldeours brought one prisoner, 18 nowte, and two naggs to Barwyk, done in the night' (and therefore only mentioned in a postscript, as if the burning of Auchencrow was scarcely worth serious notice).

Halidon Hill was this year (1558) the scene of a skirmish. After the fortress of the Caw Mills had been won back to the north, and while the garrison was alarmed at the continual incursions of the Scots, there were a few of the Berwick garrison stationed on the top of the hill to guard some of the inhabitants, cutting and winning their hay. The enemy having been absent for a day or two, the garrison were enjoying some sports, when the French from Eyemouth suddenly attacked them; there was severe fighting for four hours. After Sir James Crofts came up from Berwick, the French were driven back to Eyemouth with considerable loss. About the same time Eure challenged Kirkaldy, a cousin of Kirkaldy

* Ex 'Talbot Papers.'

of Grange; but, on account of the degrees being unequal, Ralph, brother of Lord Eure, undertook the combat. A day was fixed, and on the side of Halidon Hill they met, when Eure was wounded and defeated.*

The people of these times had certainly hardship enough to bear from such causes as we have stated, but little can we apprehend the full force of it; and as little can we now realize the suffering that was entailed when changes in prices took place so violently as those that follow. In 1557, before harvest, wheat was sold in London at 53s. 4d. per qr.; after harvest, at 5s. per qr. Malt, before harvest, at 44s.; after it, at 6s. 8d. Beans and rye, similarly at 40s. and 3s. 4d.; so that the penny wheat loaf, that weighed in London last year 11 oz. Troy, now weighed 56 oz. In the country wheat sold for 4s. and malt for 4s. 8d. In some places one pound of candles bought a bushel of rye—4d. The *good old times* disappear before facts.

We now pass on to consider the most important period that remains of our history. So much matter, illustrating these next fifty years, exists, that it will be difficult to condense it without omitting much that is interesting.

The first item is a characteristic raid, as if to indicate the nature of Queen Elizabeth's reign and the terrible inroads that were to disfigure it:

'December 21st, 1588. On St. Thomas Day at night Lord Evers sent 500 footmen from Berwick with the horsemen to burn the mill of Heymouth. There were 30 of the best horsemen sent to burn a toun five miles beyond Heymouth. At their raising of fire we gave attempt to the mill. So it was done. Fourteen Frenchmen kept the mill. The moon did shine very light; they mistrusted nothing, it was so light, and kept evil watch that we were at the mill door before we were descried. The Frenchmen ran out at the back door and through the water. There were 10 of them taken. The miller, divers Scots and naggs gotten. The mill was turved and would not burn well. There was much corn burned and two houses by the mill. The horsemen burned the town they went to, well, and burned much corn, brought away cattle, naggs, sheep and divers prisoners. They took 2 horsemen riding from Heymouth to Coldingham with the fray. This done, we were at Berwick before 4 o'clock of the morning. As I was writing this letter the Scots burned a town called *Hord*, within cannon shot of Berwick, at 11 o'clock in the night.'†

Note, the 'turved' roof of Heymouth Mill did not burn handsomely; it would have been better had they met with more such turf!

There was sterner work before the English army than this skirmishing with the Borderers. The Reformation was beginning to make its power felt on the politics of the time. From the 'State Papers,' on December 1st, 1558, a few days after Elizabeth's ascent to the throne, we learn that great dangers were apprehended from a change of religion. The dangers are clearly shown, the remedies pointed out. In what did these dangers consist? France, Spain, and Scotland were

* 'Diurnal of Occurrents.'

† Elizabeth 'State Papers,' 1558.

leagued together, and were Catholic in religion. The marriage of Mary Queen of Scots with the French Dauphin might give the French undue influence in Scotch affairs, if it did not promote them to be the virtual rulers of that kingdom. On the other hand, the English Queen was Protestant, and believed by the Roman Catholics of the world to be the illegitimate Queen of England. At that time, these considerations caused much uneasiness in the minds of England's greatest statesmen. What must they do? Their first impulse was to fortify Berwick, to hurry soldiers thither, lancers and horsemen, for the safety of the frontiers.*

The Queen determined, in the first place, to please the Governor. She increased his pay and granted him 100 horsemen as his personal escort. John Abingdon, Surveyor-General of Victuals in Berwick, was ordered to victual the town for 4,000 men from March to July, and for 5,000 from July to October 31st. Cecil determined to put the most efficient man in the realm into the post of Captain of the Border town, since it was a place of so great importance. Fifteen hundred labourers were sent hither in March to build up and finish the fortifications and put the place in order. Then the Council discussed whether an offensive or defensive war was the most expedient at the present crisis. The latter mode was adopted. One reason given was that the English soldiers were not considered equal to those of foreign nations, which were so well armed and disciplined. No invasion of England was feared "so long as Berwick lie upon their backs." It was not likely, the Council thought, that any number of foreign troops would come into Scotland except to besiege Berwick, while that town was able to withstand a siege from the Scots, if unaided. The importance of the place, they said, required that it be well fortified and victualled for 4,000 men, and that 2,500 be ready to reinforce the town on the first raising of the enemy's power; and those, with the soldiers already in town and the chosen artificers and pioneers, will make up a force of 6,000 men. Every *inhabitant* should provide victuals for his family for two months. Timber should be put into the town for the new fortifications. Faggots both of wood and broom should be provided, also tents. On the English side (that is, from the Scremerston heights) the town was exposed to a besieging army whose cannon would beat into every street and along the rampier, and would demolish the bakehouses, brewhouses, and storehouses. To obviate this hazard, the Lord-Lieutenant (Norfolk) should have authority to levy a power to encamp on the English side of the hill, over against Berwick, which would be provisioned from Holy Island.† These were the ideas that floated in the heads of Elizabeth's great statesmen on the first rumours of the danger. Cecil, early in the next year,

* Elizabeth 'State Papers,' 1558.

† *Ibid.*, 1558.

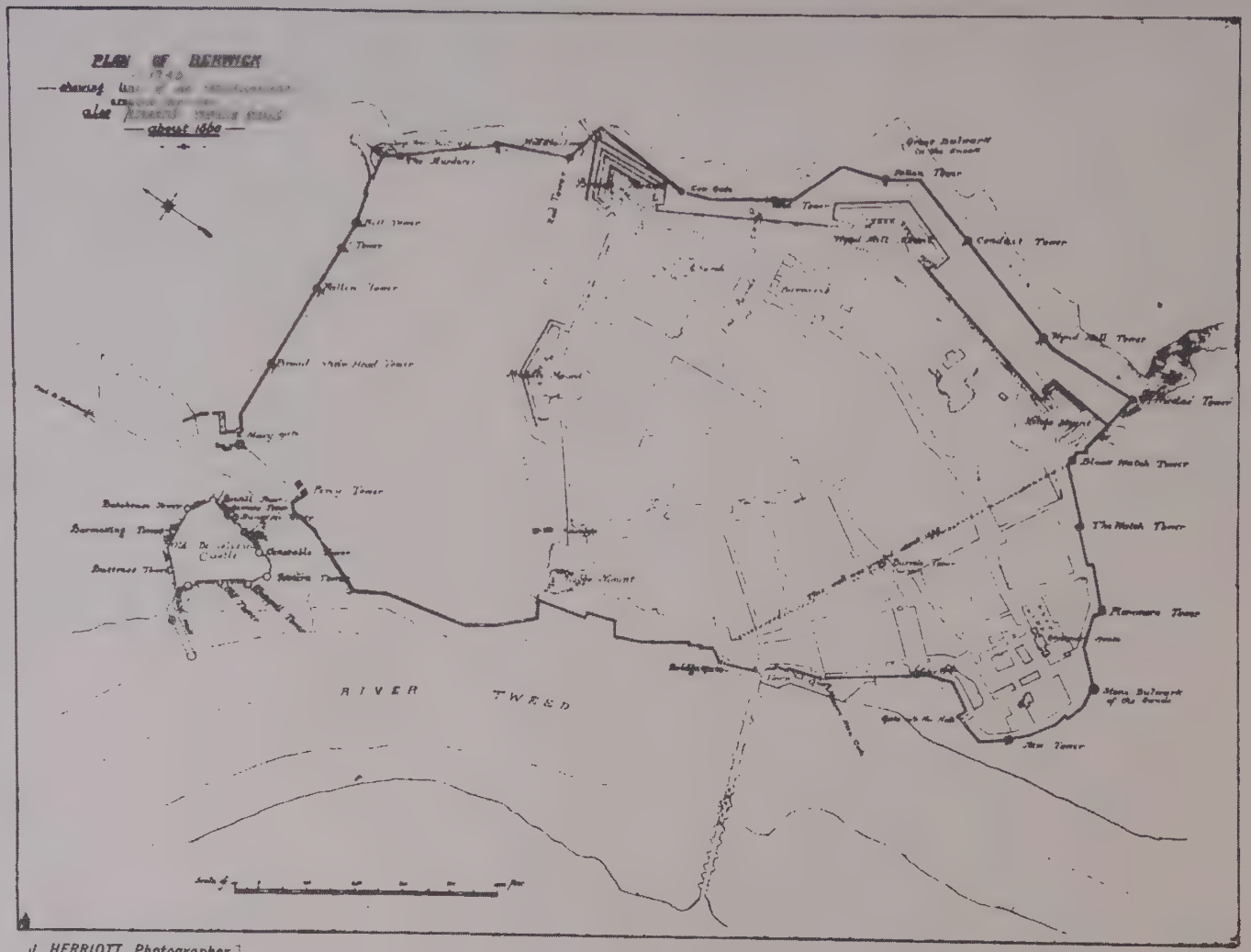
penetrated further into the matter, and discovered a new method of accomplishing his designs. He learned that many of the Scots were little inclined to Roman Catholicism, and he immediately conceived the idea of dissociating Scotland from the French alliance, and thus materially lessening the danger to England. A general armistice was arranged, and the treaty Château Cambrésis was proclaimed April 2nd, 1559. France, England, and Scotland were embraced in it. The treaty between England and Scotland was signed at Upsetlington in the Church of St. Mary there, and it was afterwards confirmed in the Church at Norham. It gave a breathing-time to these nations. Cecil meanwhile pursued his purpose. The Queen Dowager of Scotland, Mary of Lorraine, at first favourable to the Reformers, in the end declared open war against them. The Reforming leaders leagued themselves together under the name of the 'Lords of the Congregation.' Elizabeth's plan was to conciliate this party, and join issue with it against France and the Queen Dowager. The French came in great numbers to the assistance of Mary, and the English were sent in formidable array to assist the Scotch. The siege of Leith was the consequence, where the Lords of the Congregation were eventually successful. The French retired, and Scotland was again relieved, because freed at once from the oppression of the French and from the threatened annexation to that country.

While that siege was forming, Berwick was made the base of operations, and became a most important point to hold, and to hold with tenacity. Norfolk was appointed Lieutenant-General of the whole country north of the Trent; Lord Eure was made Captain of the Town and Castle; Sir James Crofts acted as Captain under Eure. Men and money* were hurried up, and the whole town and district put into a complete state of defence. The old fortifications, however, were in great decay, and it seems that early in the year 1559 their renewal was determined upon. To this fact we shall now turn our attention. The old fortifications

* Treasure was brought from London at that period in bulk. Here is a case in point: 'Sir William Inglebie, Treasurer of Berwick, was charged £49 3s. 9d. for transporting £12,000 from London to Berwick.' The difficulties they had to encounter on the way are thus stated: 'The money came to Felton, where they should have new carriages. They took certain cattle for this purpose by the Queen's Commission given to the sheriffs and bailiffs to that effect. The town and poor of Felton, not being willing that their cattle should be taken, resisted stubbornly, whereupon one of the Treasurer's servants gave a man a blow on the ear. The matter being well pacified, the Treasurer set forward. Afterwards there came a company of those of Felton, led by one named Harvey, all armed with lance-staves, and asked "who gave the blow on the ear?" Harvey coming so near, one of the Treasurer's men kept off the first blow and got within his lance staff and hurt the said Harvey on the head, whereof he is dead. Inglebie thought that the treasure should be otherwise conveyed to Berwick, especially in winter, as the cattle of the county were so little and so weak, and the way so deep that they could scarce draw an empty carriage.'

that were now about to be demolished and superseded by the present walls, were begun by Edward I.; at least, the ditch outside the old wall was dug by him; the wall was built by Edward II., and heightened and strengthened by Bruce about 1320. The accompanying plan will show the circuit of the old wall, and the many towers by which it was guarded. The earthen embankment behind, faced with another wall, formed the 'Countermore.' The old wall began at the Scots Gate, where the northern entrance to the castle left the main road; it followed round by the Bell Tower, and along the line of the old wall that is still visible, till we reach the present wall at the Brass Mount. There it bent outwards at right angles, and continued through the present stanks or skating-ground, and kept in a south-easterly direction till it reached the old earthen bulwark in the next enclosure (the south); then, running more to the south-west, it came to a termination near to the present Malthouse on the Pier Road. This wall in Henry VIII.'s time was 22 feet high. In it were nineteen towers, the entrance to which was through the Countermore, by a narrow passage boarded on the sides and 'overheled' with timber. This passage was about 30 feet in length. Once inside the tower, a staircase or ladder led to the top, where, in recent times, cannon were placed. At first, arrow loopholes would alone pierce these towers. When Henry's survey was taken, the great majority of the towers, if not all, were in sore decay. The overheling in each case was rotten and falling down; the walls were weak, and some so frail that the weight of a single cannon would have crushed them. The curtains were ruinous, and for more than a century curtains and towers had cost a great amount of money in order to maintain them in proper repair. These walls had been strengthened by the New Fort in the fields near the Bell Tower, begun in the reign of Edward and finished in that of Mary, and by 'the New Fort on the Sands,' erected at the corner near the present Drum Flagstaff. Now, under Elizabeth's government the old wall was abandoned, and a new system of fortifications introduced which enclosed a much smaller space than formerly.* The engineers and captains of Berwick determined on introducing a system of defence which consisted of bastions and demi-bastions at intervals in the line, and curtains between them riveted with a broad bank of earth. The guns on the flanks of the bastions could be so placed as to sweep the line of the intermediate curtain. Outside the wall of the curtain, as well as round the bastions, there was a ditch 200 feet in width, and in the midst of this another ditch 12 feet broad and 8 feet deep, kept always full of water. A further detailed account is unnecessary; the accompanying plan will fully explain the whole system.

* The old wall extended two miles and a half, the present only a mile and three-quarters.



J. HERRIOTT, Photographer,]

BERWICK

Norfolk came to Berwick and reported on the possibility of making Berwick impregnable. He says to Cecil:

'I wol not trouble you with anythinge but myn own fancies and opynions conceyved oppon the sight of Barwicke; of which, tho that my experience and understanding is quytt unhable to judge yet for my promise sake unto you before my departure from London, I could do not lesse but wryte thes few lynes unto you as a Declaration of my Remembrance thereof. First, for the situation of Barwicke I assure you I fynde it by nature marvelous unapte for to be fortified without great payne, travaille and industry, of which that which is already begonne of the works I fyned greate dylygence, and as it is supposed by wiser than I, here with so lytell chardge coulde bringe to passe; in which I think Mr. Lee hath doon his part.' He goes on to say, 'If Barwick is lost, ere we should geate it agayn yt wold cost many a broken hedd. Ther is on thing moore in question, the which when Sir James Crofts and men of great experience, here and other where, dare not give their opynyon, you will not merveile tho I advise nothinge therein, but only wishe that if there be any about the cowrte or other where, that hath more skill than other in fortification, he shuld rather be sent hither whereby his opynyon might be harde in so weightie a cause, which is disputable, and with so good reasons on both sides, I mean whether it be more expedient to have that side of the old toun next to the haven cutt away, wherein consisteth all the Queen's storehouses and the best houses in the toun, or else to fortify the old wall, and by that means to save all the houses. But the reasons on both sides are so great that I can judge nothing. The tyme of the year draweth so fast on, that on wey must needs be agreed uppon, wherein you know what is best to be done. Sir R. Lee will call upon you, who knows the whole matter. I am your singular friend; therefore I scribble these folyshe fantasies, being so unskilful in so weightie a cause.'*

From this time (January, 1560), for another year at least, there was great difficulty in settling the proper circuit of the walls, especially in the part towards the water. The land side was well established at this date, as we learn from the following account of the progress of the fortifications at Berwick arranged under these heads:

'(1) The Great Mount next above Cowgate (Brass Mount).

'(2) The curtain from that Mount to the East Mount, passing by Cowgate from the south end of this Great Mount, running to the New ditch cut overthwart to the sea (Covered Way).

'(3) The East Mount (Windmill Mount).

'(4) The curtain from the East Mount to the Mount of St. Nicholas Ward Corner.

'(5) The Mount at St. Nicholas Ward Corner being but half-built (King's Mount).

'(6) The curtain from the North-East Mount (Brass Mount) back toward the North Mount, called by some the Middle Mount (Cumberland Mount).

Memo.—That here in the curtain must be made the gate. [While these lines are being written, there is a great dispute going on about opening a gate at this very place (1887).]

'(7) The North, or Middle Mount.

'(8) The curtain toward the West Mount; here must be the Mary Gate.

'(9) The West Mount, *alias* Roaring Meg.'†

On the map of the old and new fortifications the line of these notices can easily be traced. Dispute is only possible on the water-line. Before this was

* Burghley 'State Papers,' by Haynes, p. 228. † Elizabeth 'State Papers,' February, 1560.

settled, Lee, Crofts, and Norfolk reported, and Portenary, an Italian, was brought to view the situation and report. In the end the Ness was left altogether outside the wall, and the town was enclosed from Roaring Meg round the present line to Hunsdon's or King's Mount, and, then, from the latter mount a wall was built across the town to the 'Cattewell' on Hide Hill, and thence to the Old Bridge Gate.* Some houses were purchased in Ravensdown to allow this wall to cross; and Burrell's Tower, on Hide Hill, was purchased for £160 for the same reason. This was a tower of defence as well as a dwelling-house.

Having explained the line of fortification, we shall now resume our narrative. On the peace with the Scots being agreed upon, a proclamation was made in Scotland, and Crofts was instructed by the Queen to proclaim this peace on the same day in Berwick. She commended Crofts at this time for his determination to cass some soldiers on this peaceful turn of affairs, as a means of saving her treasure; and, being in good humour, she further lauded him for pardoning a robber who had confessed his crime in hope of life. Knox appeared again upon the scene, as anxious to visit 'his poor and despised flock in Berwick, Newcastle, and other parts in the North.' He sent to Cecil to ask license for this visit, and added: 'I hope in God it shall not hurt the commonwealth of England that such license is granted unto me.' The license was not granted at this time.

It is curious to note how the health of the officers on duty in Berwick was affected with the 'unagreeable' air of this town. Crofts was then in bed with an extreme cold. He has been ill and sick, he says, for two years past with this 'unagreeable air.' We have noticed Surrey's complaints; and again Sussex, a few years after, reported in the same strain. Balsome and Oxenbridge, two of the ministers of Puritan times, complained bitterly of the same thing. A very characteristic reference to this cold place is contained in a letter from Sir John Brende to Cecil, dated May 3rd, 1559. He says: 'A number of soldiers have been discharged, and when discharged very few were desirous to tarry; and those appointed to tarry remained against their will, notwithstanding their liberal pay; as every one is so desirous to return from the sourness of this northern air. This has been the cause, more than anything else, why we have so often lost the footing or possession we have had in Scotland; for, after men had continued there any time, it was thought sufficient reward of service if they got leave to return home. And so the captains left their charge to the deputies, the deputies to men of less sufficiency, and they to others, till it came into Scotch hands again.' This is assuredly the most novel plea upon record—viz., that the independence of Scotland is in a large measure the result of the sourness of this

* See the plan for wall built about 1563.

northern air, that still afflicts our town. The officials complained of bad victuals as well as bad air. 'The unseasonable victuals have undoubtedly been the casting away of many a poor man. For the *Fish* that came late in Lent he did what he could for the saving of the Queen's treasure, by increasing one day more in the week for fish, and observed the like in his own house. Nevertheless, the complaint of the poor men, and beholding the misery they were brought to by the naughtiness of the fish, he caused the victuals to be examined, and the good to be separated from the bad.' At one time they (the victuallers) laid aside of 'naughty fish' 33 lasts (396 barrels) of herrings, white and red, besides butter and cheese; and yet the victualler, to save the Queen's purse, made the poor garrison eat this naughty stuff one day in the week more than the law required. Sir R. Lee, Surveyor, complained in the summer of his men on the fortifications being very sore decayed by reason of their being fed, for the most part, with herrings. It was astonishing how any workmen stayed here to do the work; for meat was bad, air was sour, and money was wanting altogether. Sir R. Lee reported to the Council: 'There has been no pay for two and a half months, so that the men have neither shirts nor shoes, nor money to buy fresh meat when sick, nor to bring them home when discharged. It grieves him to see the multitude exclaim daily of their wants.' What more pitiable picture could be drawn than that of men shoeless and shirtless, living in sour air, and having nothing to eat but naughty red or white herrings, bad butter, and worse cheese? Probably a good deal of this wretchedness and misery was brought upon the poor men through the greed of their superiors and officials. For instance, next year Norfolk reported that old Inglebie, the Treasurer, made much ado about parting with his office, on account of the gain made in it being so *sweet*. Sweetness to him was starvation and death to others. Norfolk further wrote to the Queen that, since her Majesty desired him to scribble his opinions to her on anything that chanced to interest, 'he has heard that the Berwick bands were aforetime in good order; but now the abominable robbery of her garrison of Berwick has infected her country bands. The garrison was first encouraged to robbery by the insatiable pilling and polling of her Captain Crofts, who has used himself so suspiciously in this last service as, having the choice of sending him up or staying him here, he durst none other than the former for his disordinate doings. He can prove all he has touched concerning Crofts.'

This peculation and greediness were common to all the officials. Complaints were very severe, and exposure was continual.

Cecil and Knox, during the summer of 1559, did all in their power to cement the different Protestant parties, so that an unbroken front might be presented to

the other side. Towards this desirable object Knox wrote to Cecil, 'That he thinks a learned and godly man ought to be appointed to Berwick to preach, also within Scotland; and he doubts not but he will retain the friends of the East Borders. If the hearts of the Borderers of both parts can be united together, then victory will be easy.' There was no unsoundness in the argument, but as a matter of fact the Borderers, especially south of the Tweed, had a strong leaning to Popery, which continued for years, and hence the victory was neither soon nor easy. On the 1st of August, license having now been obtained, Knox came to Berwick, by Holy Island, to consult with the Queen's authorities, if they would not allow him to go south. He landed secretly, and came as he thought unknown; but those strong and unmistakable features of his were too well known to pass unrecognised, and it was soon noised abroad that he was in Berwick. Crofts kept him close in the castle; and, having learned all he could of the desires of the Protestants, he allowed him to depart, when the report of the meeting was sent to London. Nothing came of Knox's work till the spring of the next year, when his labours were crowned by the Treaty of Berwick, signed on February 27th, 1660, in which the Protestants of both countries allied themselves against their common enemies, the Papists of Scotland and England, as well as of France and Spain. Meanwhile, early in the autumn, Sadler was sent to Berwick to assist in keeping order, and to hurry on the works there. Along with Crofts he wrote to the Queen, that she should send some of the nobility to view the walls. 'They are worth the seeing: they are fair, and likely to be strong.' They hoped she would make as much haste with what remained to be done as she had with what had been finished. They concluded their letter in true courtier fashion: 'We pray God to preserve your Majesty to the years of Nestor.' The supplies required for the fortifications were wondrously varied. Money was needed, but likewise 'furniture,' such as ropes, canvas, hand-saws, copper-nails, tacks for labels, clout-nails, tallow, rosin, turpentine, linseed-oil, pitch, tar, cresset-lights, links, tallow-candles, elm-timber, naves, felloes, 'exeltrees,' 'handspects,' chests for bows and arrows, harquebuts, and dags. Berwick now became the centre of increased activity. The French were actually fortifying Leith, and, if successful, Berwick would be the next point of attack. It was on October 21st, 1559, that Throgmorton first heard of the French operations at Leith; and, on the Queen being informed by him, everything was done that was possible to keep an open way from Berwick to the northern capital. As the seat of the crafty and courteous Crofts and Sadler, it was the meeting-place of commissioners from Scotland and of messengers from the English Queen. Money was required by the Lords of

the Congregation, and this was to be sent from Berwick. On November 4th, 1559, the Laird of Ormeston was sent to Leith with £1,000 to assist the Lords to attack the French and raise the siege. But Ormeston was arrested on the road by the infamous Bothwell, robbed of his treasure, and badly wounded. The treasure was carried safely to Dunbar; and now there is a characteristic note from Sadler to Randolph: 'If anything should be said about this money, they must say it was Ormeston's and *not Elizabeth's*.' Who, even in that age, could be hoodwinked by so transparent a story? In the same underhand fashion, Cecil wrote that Sadler may send on four trusty captains from Berwick to assist the Scots; but their names must be changed, and they must take powder with them on horseback, as was once before sent from Berwick to Haddington. The Queen was now getting anxious about Berwick and about Scotland. More men and money were promised, and great anxiety was now observable in every department; the garrison was increased. There were now 17 captains, 16 petty-captains, 60 officers, 159 horsemen, 4 clerks, 65 great guides, 671 armed men, 1,198 harquebusiers: total, 2,190, at a monthly charge of £2,447 12s. 8d.

The French were at Eyemouth. The Queen was afraid lest they should get a firm footing there, and urged that it was against the treaty to have 500 men so near Berwick, and that 'this cannot be borne.' She promised to send on immediately 4,000 men to the Borders; victuals and armour to follow, 'that the whole French invasion may be nipped in the bud.' Winter, her Admiral on the East Coast, was ordered to approach with 14 ships, leave some victual at Tynemouth, at Holy Island, and at Berwick; and if he could enter the Frith of Forth, he was to do so. This must be done in his own name, and *not in the name of the Queen*. Norfolk acted as leader of the forces, with the daily fee of £6 13s. 4d. Treasure was sent on in quantity; and everything showed that the Queen had risen to the emergency, and that this difficulty would be immediately surmounted. But, on almost the very last day of the year, Elizabeth undid it all. She wrote to Throgmorton on 30th of December that all this armament sent on to Berwick was not to aid the Scots, but simply to defend her own country. In the early spring the Scotch Commissioners came to it, and there, with Sadler and Norfolk, a treaty was concluded, which put an end to this hesitancy. The Queen therein agreed to help with men and money the Scotch Protestant Lords against the Queen-Dowager of the French. In pursuance of this treaty, Lord Grey led 8,000 soldiers and 700 pioneers into Scotland, to help to raise the siege of Leith. On April 20th he wrote back for further supplies to Norfolk, who immediately sent on from a powder-mill at Berwick, recently

erected, '4 grand barrells of corn-powder,' and, from the storehouse, he despatched 3,000 spades, and in this manner the army did its work, assisted from Berwick as the base of operations. At this crisis, Valentyne Brown succeeded Inglebie as Treasurer, and George Bowes, Marshal, received knighthood from Norfolk, who was laid aside for the present, from the sourness of the air, with a 'quinsey under the ear.' He was testy with this trouble, and so he wrote to Cecil: 'For God's sake, whenever you send us more money, let it be sent in gold or new silver. This last you sent us was in pence, twopences, and old testoons.' Surely a burdensome and a very expensive manner of sending a few thousand pounds. For instance, these £22,000 were sent on from London to Berwick, 268 miles, in three carts, taking sixteen days, twelve men, sixteen post-horses, and two guides and constables to watch it at night. In all, £86 18s. 8d. was required for this charge. The whole cavalcade went on to Stirling, where the Lords were, and where the great part of the Scotch army was posted. For this extension of the journey, six post horses were required for two days, and the further charge was £35 13s. Altogether, from London to Stirling, this transference of £22,000 cost £122 11s. 8d. No sooner was this substantial aid sent on to Scotland than the war was over, and the siege of Leith abandoned. The Queen-Mother returned to Edinburgh Castle, and almost immediately thereafter ceased from troubling the world or its affairs any more. The English army was recalled, Norfolk's appointment revoked, and Sir Francis Leek appointed to succeed him in Berwick. Let us look for a moment at the excitement and the stir that must have been in the town during these summer months, when this warlike action prevailed. During June £137 11s. 4d. was required for wages for one clerk of the bakehouse, one overseer, two furnace-men, twenty-two bakers, one clerk of the brewhouse, one overseer, twenty-six brewers, one keeper of the water, three millers, one clerk of the granaries, ten keepers or turners of grain, three keepers of oxen and sheep, one basket-maker, two carters, five women dighters of corn, one overseer of coopers, thirty coopers, one clerk of the catery, one clerk of the butter and cheese, three purveyors, and one porter. More than one hundred people connected with this work alone were thus all, or nearly all, thrown idle on this new turn of affairs.

A calm succeeded this storm when men's minds had time for reflection. The reflection in the case of the Berwick Treasurer and soldiers was not stimulating. It was found that the Queen was due £29,000 to the soldiers, and £11,000 of this the Treasurer must be paid, for the poor fellows were out of apparel and furniture. A large amount of this money was due to Berwick merchants and Government officials. By dint of pressure, the money was at last obtained from headquarters,

after which the garrison was greatly diminished, and matters were righted again. In this time of quiet we learn more about the walls. Houses were viewed that it would be necessary to purchase to make room for the fortifications, and the debate was again resumed whether the lower part of the town should be included in the new fortifications. A very serious dispute arose whether the new wall should not extend down to the fort on the shore, and then follow round the coast-line till it returned to the King's Mount; *i.e.*, whether the 'Snook' should be walled in. These disputes became so serious that nearly all operations were stopped for a time. The money spent upon the walls during the last seven months ending the 14th September was £34,242 16s.; and, for the winter months, if the work went on, it was calculated that the amount would be £13,264 10s. 8d.*

Now the Queen, influenced by this time of peace, ordered Sir R. Lee, Surveyor, to begin to take down the old wall by the Bell Tower so far only as stone was needed for filling in the new wall. The face-stone of the new wall had been partly laid, but filling-stone was scarce. Lee, however, was to be careful not to lower the old wall too much till the new one was sufficiently strong. The balancing point here was rather a critical affair. The difficulty lay in watching the walls in this transition state. Sir Francis Leek, Deputy Governor, wrote to Cecil to say—

'That now (end of August, 1560) a great part of the earth from the Snook to St. Mary Gate (at the castle) is already taken away, and a good part of the vamures [barriers] between the Bell Tower and St. Mary Gate is already removed, so that in divers places the passages for the watch is not two feet broad. There is no small doubt how the watch shall be continued during the winter, when the wind is so extreme as it is here. But to make the position as strong as we can, shall cause the greatest part of the garrison assembled in the green to aid the castle, or to repel any attempt between the Bell Tower and the castle; another part to assemble on the watch to aid the Cowgate; a third part near the new fort (on the sands) to answer all attempts between it and the bridge where stands the Marshall's bands.'

This was laid down as the order for the watch until the walls were sufficiently built to afford protection.

Since the siege of Leith† was past and the garrison was idle, great difficulty was experienced in keeping order amongst the men. Leek wrote: 'Fighting must

* The wages paid to the workers were as follows: Hard hewers, 12d. per diem; carpenters, sawyers, wheelwrights, coopers, masons, hewers of freestone, and roughlayers 10d. per diem; quarriers, lime-burners, carters, and victuallers received 8d.; hodboys, 5d.; clerks and overseers, 12d. Sixty carriages were employed, at 4s. each per day.

† A gunner named John London was left at Leith for the gathering of bullets out of the ramparts, and to save the ladders and other munitions, and to see the same shipped. He sent home one ship-load of bullets. He wrote that he still daily found more, and had learnt that above 600 were in men's hands in Leith, which he could not get unless he would pay 1d. a piece. Leek wrote him telling him to pay it.

be stopped by the cutting off some member—a hand, or something like that.' The Mayor and constables 'would the old orders of Berwick and Calais were printed, and one table put on parchment or metal and fixed on the "Towle Boothe," that every soldier may know his duty.' The Mayor further complained 'that imprisonment with severe punishment is of little avail; the soldiers cross over to Tweedmouth and daily fight.' Another complained that some captains had 300 men and others but fifty, and had enough to do to live. They could not get silk clothes and fine shoes, and other things, which must of necessity be occupied by captains. All these were of such extreme price that no captain could keep up appearances according to his station, nor even afford a horse to ride abroad upon. This inequality of privilege led to quarrelling among officers. 'A dispute has arisen,' Leek says, 'between John Bennet, Master of the Ordnance, and John Fleming, Master Gunner, of Berwick, about the governing of the fifty gunners appointed to remain here. "It seems both smell gains to arise in that way." Many robberies were reported now in Northumberland, but none of the garrison can be discovered as implicated. The garrison, I fear, are fonder of thieving than of sermon-hearing.' Leek complained in a postscript: 'The preacher is almost weary. He cannot bring Mr. Somerset nor Mr. Read to hear a sermon.' 'He is most loath to trouble him with the use and abuse of the old ordinary garrison, yet there are more than enough of them murderers and thieves. Prays Cecil to send a captain who shall see good order taken, else the disease of this town is incurable.'

CHAPTER IX.

LORD GREY, of Wilton, who had commanded the English in Scotland, became Governor of Berwick as successor to Leek, who now retired to England. On his installation new orders were issued by Cecil, in Elizabeth's name, which were to compel order and good discipline in this thievish and ill-behaved garrison. Along with the old, the new set of orders were put into operation in the town, the former to be the governing power as long as it was not contradicted by the new. An almost complete copy of both will be found in Appendix No. 4. Abstracts of some of the more interesting may occupy a place in the narrative. The general characteristic of the ancient statutes is that of severity:

Death was the penalty for affrays at the gates or on the Watch Hill, or for going from the walls after the watchword was given, or for not searching carts laden with straw or fodder. Counterfeiting the keys of the gates or storehouses was a capital crime. Watchers not giving warning of any ship or person coming within sight to have their heads struck off at the Market Cross, and no Scotchman to be of the garrison, upon pain of death.

Others of the statutes are more curious than severe:

'No soldier to use any *vile* occupation, as fishing, and none to use dice or cards for money except within the 20 days of Christmas, or else at any of the gates of the toun, or within the watchhouses, market-place, or tollbooth, under pain of 3 days' imprisonment, and the stakes to be forfeited to the Queen's Bridge at Berwick. Again, no cur dogs to be kept over the feast of the Exaltation of the Holy Cross next coming, no greyhounds or spaniels to be in the streets except they be "hard led, or led in leashes or lyans;" for the third offence both master and dog shall be put out of the toun. No dogs shall be in the streets at night.

'Every watcher found asleep for the third offence, or warning his fellow who is asleep of the approach of the searchers for the second offence, as well the sleeper as the Escrier, both to be put over the walls where they made the same default, and set in baskets with a can of drink in their hands,

and there he or they to tarry unto the time the rope be cut (when of course the occupant of the basket would fall into the ditch, where stood always about two feet of water).'

These old orders bear no date, but undoubtedly, like other sets of laws, the number would grow with time, until fifty altogether had accumulated. The new orders, to which reference has been made, bear date October 1st, 1560. They are signed by the Queen, and are said to have been put in force while the fortifications were being finished and a garrison established—that is, a fixed and definite number of men to form a garrison. They were introduced by a long introductory note upon the propriety of all the soldiers attending on the sermons, and upon the mending and repairing the Church of the Trinity:

'Because the foundation of all worldlie strengthe is to be laide and established with the feare and service of Almighty God, without which except the Lord God kepe the cittie and build yt, all force of armes, strengthes, and riches be but vain, and nothing, as dailie is seen and perceived where yt pleaseth Almighty God contrarie to men's purposes to confounde strong townes, castles, and great armies by sundrie casualties.'

The order proceeds to declare that to establish the above declaration, 'it is necessarie for all men to live in due service and feare of God;' and that this may be done, the church and place of divine service within the town shall be repaired by the Surveyor of the Works, and 'kept to the use onlie of praier, ministracion of sacraments, and preachinge of God's word, and to no other prophane use.' It was further ordered that the service be in accordance with law, and that the minister be paid by the Queen's Treasurer of Berwick. And now, after the church was repaired, all the garrison must attend the services every holyday and Sunday, morning and evening, at least once in every fourteen or sixteen days. The attendance was compelled by heavy fines.

The new orders do not differ much from the old. Probably they are not so severe. They have their curiosities, as the others, but are not characterized by impartiality:

'None to play dice by night, except he be of the Council, under pain of four days' imprisonment.' 'No person shall walk abroad after 10 o'clock in summer and eight in winter, or whistle, or sing, or shout after the said hours.' 'No flesh can be eaten on the fast-days, on pain of from four till six days' imprisonment, and if he be a soldier he shall forfeit a month's pay or 20 days' imprisonment on bread and water.'

It is to be hoped that when this fast-day diet was put in force there were no more of the 'naughty herrings' in her Majesty's stores. According to the new orders, a preacher was to be sent down to Berwick. The Dean of Durham and Mr. Sampson were the first that came. Their fees were willingly paid by a cess laid on the whole garrison. The immediate effect of their preaching was marvellous:

'Cecil may perhaps marvel to hear that every holiday in the Church are sung sundry Psalms

and Prayers only by Gentlemen and Soldiers, and the most part gentlemen. Such fruit has followed the little abode which the Dean of Durham and good Mr. Sampson made. Berwick has become a civil town almost devoid of vices. Hope that the soldiers sent hence do not infect the realm now that they have purged Berwick.'

As a result of this elevation of the Berwick gentlemen and soldiers, the Governor informed Cecil in a postscript:

'There be already departed from Berwick and Tweedmouth 269 abominable Damoselles and some Scots forth of Berwick. I confess I am more apt to be a bumbailiff presently than I was thirty years past.'

'Like Prince, like people.' Elizabeth's penurious habits are well known; her servants likewise affected this habit, save in the matter of enriching themselves. The Mayor of this Burgh had been in the habit of receiving £10 from Government for many years—nay, for centuries—probably from the time of David I., when the town was established a Royal Burgh, and the officers were accounted officials of the Crown. Not only had the Mayor this grant from olden time, but he had a domestic servant as well as four Sergeants of the Mace. The Queen's officers in Berwick, on the appointment of these two new orders, called this payment in question, and were very desirous to discontinue the allowance; but, upon inquiry, they found that the commencement of the grant was not within the memory of man, therefore it was allowed to stand. When the new orders were established for the better government of the town, a military council was determined upon, which was to consist of the Governor of the town and the Warden of the East Marches, one High Marshal, the Treasurer, and the Porter, with four officers. These were declared to be the councillors in 1560. The records of this council's proceedings in its early days are lost, but from 1574 to the end of the century, some of the orders are still extant. These will be dealt with under 'The Guild History.'

Lord Grey of Wilton* took his seat at this first council as Governor, and the Queen immediately wrote him—'(1) To appoint one special day to sit in the Common Council House, there to direct such causes as shall be nedeful; (2) That the Scotch Market be removed from within the town to the void place betwixt the new wall and the Bell Tower.' This market had long been of great interest to the inhabitants and garrison of Berwick. In times of peace the Scots were courted to come with all kinds of provisions to the market. As early as the reign of Edward III. it was held outside the town, and, probably, in the same place as in

* Lord Grey was left in Berwick as he returned from Leith, but the grant to the office bears date November 5th, 1560. 'Rot. Parl.,' 2 Elizabeth, par. 5.

the time of Henry VIII., viz., the Calf Hill.* In an order about provisions, this passage occurs:

'And in this pacte, the Skotts repayring to the market uppon the Calfe Hill wold likewise be cherished and kept in good order from spoyles and other iniuries; and moch nedefull it were that there were a house builded uppon the said Calfe Hill wherein the said Scottishe people might in colde and stormye wether have fyer and meat and drinck for their money to repose themselves withall; otherwise, they shalbe not able to kepe market there thys wynter tyme which wil be a great hindrance of fresh victualls to the toune.'†

To serve their own selfish ends, the people of Berwick and the Government officials were anxious enough to get the Scots to come to market to supply them with fresh and cheap provisions. But it was strictly forbidden for a Scot to live in Berwick, and it was death for one to be found in the garrison. Lord Grey wrote of them, at the time he was arranging this market-place:

'The four Scots stayed here four days, and at their departure understood such reason and courtesy in staying them that they be nothing at all grieved therewith. Wishes that he had been sufficiently powerful to have prevented them of such mischief as their hearts imagine. Without doubt they have conveyed in their hearts and budgetts a great mass of treason. God confound them and it together.'

The cause of this severe writing is not explained. This jealousy or hatred of the Scots becomes very apparent in a case that occurred a few years after this. Valentine Brown, the new Treasurer, wrote to Burleigh in February, 1574, 'that he would very much prefer George Beverley, a friend of his, to succeed to the vacant office of Customer of Berwick.' Burleigh at once granted the patent to Beverley. No sooner was this done, than he was informed that Beverley was descended from Scotch parents. A commission was appointed to sift the truth of this, when it was discovered that he was born of Scotch parentage in Haddington. His father died when he was but a child. His mother married, for a second husband, James Beverley, of Kirknewton, Yorkshire, who brought her and her son into England. When this truth was elicited, a truth of which George would be ignorant, for he had taken the name of his stepfather, he was at once obliged to surrender his patent, and retire from any office in England. Evidences of this same jealousy continually occur.

Lord Grey's Governorship of Berwick made a somewhat salutary impression upon the rude Border Land. He began by adjusting some long-standing disputes. Muschamp and Ralph Swinnow, who had quarrelled about property, were reconciled. He settled the long variance that had existed between Sir Thomas Grey and

* The hill immediately north of the engine sheds of the North British Railway.

† Sir George Bowes' report on the state of Berwick. Probable date, 1544.

Sir John Forster, who had quarrelled about the said Forster's mother. For this he received Cecil's thanks. He even got the Laird of Cessford, though it would undoubtedly be a severe trial, to consent to act in the future with fairness and justice. Grey then looked nearer home for work, and sent a report of the state of Berwick to his chief. He found it very weak, and requiring more men to withstand a sudden rush. Moreover, he found in the old garrison the constables so unskilful that they were utterly unworthy their places, being men unlearned, who used generally to deliver the watchword to their children, or servants, or others to read, which was very dangerous. Having taken one in the act, he put him in ward, and detained him until instructions arrived. This was a crime that those who framed the statutes of Berwick never contemplated. The Governor further wrote, that he was 'astonished that *such a town as Berwick* should be without a trumpet to sound for proclamations,' and desired Cecil to send him one. Cecil noted on the margin of this letter: 'Grant an allowance of £20 per annum for a trumpet.' Grey, likewise, desired that a *wheat*-mill be set up in Berwick, as they have only one horse-mill.

Three days later, November 29th, he heard a report that the French were going to invade, so he hurried on the work at the fortifications; for, though the masons could not work on account of the frost, the *pickaxes* could still be in use. We cannot but regret the work of these pickaxes, for now, on the last day of this month of November, 1560, the *Castle of Berwick* and all the best houses that were reserved for the lodgings of the Captain and head officers, were defaced or plucked down for the furtherance of the fortification, except the house reserved for the Treasurer and Victualler, which was taken for the Governor's use. He returned this house to them again, and went to live in the Palace, where there was very sorry accommodation for him. The house had to be 'shored up, which, otherwise, would have lain in the earth.' There were only two habitable rooms in it, not large enough even to entertain his friends; they were not fourteen feet square. A few repairs were made on his entry, and fault was found with his extravagance, for he had really spent upon this work £11!

To carry out his plans for putting Berwick in order, he issued special instructions as to the watching of the walls while the new fortifications were still incomplete. Dated January 1st, 1561, these regulations claim to be an order for watch within the town of Berwick, as well for the old walls as for the new works, devised by Lord Grey, which may be executed, if the Queen and Council shall allow it, till the new fortifications be put 'in strength.'

'For watch of the old wall, viz., at the point west-north-west at Windmill-hill and St. Mary-gate

at each, two men; at the Bell Tower, the Red Tower, the New Tower of the Sand, the Little Tower, St. Nicholas Tower, Conier's Bulwark, the Square Tower, Shore-gate and Brig-gate, at each, three men, thirty-six in all.

'For Stand watch at the Gates, viz., at the Bulwark between St. Mary Gate and the Cow-gate, at the Cow-gate, Brig-gate, Shore-gate, on the Pier and on the Bridge, in all eight men. The round search-houses at Shore-gate and Mary-gate consisting of two parties of twelve men each, to be continually sending out patrols to see that the Sentinels did their duty. The officers on duty are personally to visit the different posts, the stand-watch at the Castle to continue established, 16 footmen are to scout nightly without the walls. Captain Pragle and 50 men with the old garrison are lodged in the old town without the new works. At the alarm the new piece is to be manned on the bulwarks and curtains by the different captains posting their men at intervals of nine feet all round the walls. The townsmen to assemble with their weapons in the market-place, under Captains Baker and Lambert, pensioners. The labourers also to repair to the market-place, under Captains Ingleby and Aldey, pensioners, and to have weapons delivered them out of the Queen's store. Eighteen shall watch nightly, one on every bulwark and curtain of the new piece, and 12 men to search them. Every Captain shall watch the second day after his night watch with 91 men, viz., his Lieutenant with 30 men at the Briggate himself; and Sergeant at the Cowgate with 50 men, whereof 20 shall repair to St. Mary Gate, morning and evening, to let cattle out and in the town; at the Shore-gate ten men, and Corporal or Ensign. Six horsemen shall daily ride out at the Gates' opening, to search the suspect places.'

The watching of the town was doubly difficult at the present time, for the old walls were partly demolished and no part of the new was in a complete state of defence. Great difficulties were likewise thrust in the way of the swift progress of their completion. Here is a statement of difficulties by Jennyson, surveyor of the works, made to Cecil on February 11th, 1561:

'Though he has charge of the stores and storehouses, yet he has no lodging therein, but two little chambers, a cellar and a kitchen, wherein Sir Richard Lee's men delay him, until they can hear from their master, so that he is forced to be from his charge at no little expense, and to leave his wife at Newcastle. The *Sawyers* are such triflers that they make easy expedition of the work, and the *Smiths* are such purloiners that, of one cwt. of iron delivered to them, he cannot receive above 72 or 76 lbs., who would make him believe the residue was waste. Trusts that by putting things out by great [the piece] double expedition may be used; for they work but 7 hours, and do not 5 hours' work. The price charged for the coals is exorbitant, and he is determined to confer about this with men at Newcastle. Would have ridden to London to see the stuff chosen; for the artificers say that little good stuff comes here.'

Jennyson went to Newcastle for stores, and has given interesting information about coals: 'The Lime-kilns and Smiths consumed 1,500 chaldrons yearly; he thought they should lay in a supply in summer for the following reasons: Firstly, they are lighter in summer than in winter. In summer two chaldrons in weight would be saved in every ship's lading. Secondly, the coals are more plentiful in summer, and their freight is less. There might be a saving of 2s. 6d. per chaldron. Thirdly, the owners of the boats will not serve Berwick in winter, the coast is so dangerous. He thought they should get 800 chaldrons of

*Darewen** coals, and as many of the best Northumberland coal. The best sort cost 13s. the chaldron, and the worst 12s. per chaldron.'

We have seen that Scotchmen were not relished in Berwick at this epoch. Neither, it seems, were Irish. A great many of the latter were brought at this time for the work at the fortifications. One hundred hand-hewers and eight labourers were entered as Irish workmen on the 2nd of March, and again, on the 20th March, we have thirty-seven hand-hewers brought over by Philip Athlone. These had no sooner commenced their work, than on the 25th, on Jennyson mustering the workmen, he was resisted and misused by the English masons, 'both in words and in other obstinate deeds.' Lord Grey, the Governor, having come to the rescue, 'committed divers of the fawters to the loathsomest and straitest prison with irons and ill fare. Yet there was much grudging and obstinate repining amongst the rest of their fellows, and, as far as they dare, it is like they will continue it.' It is just possible that the presence of the Irish was not the only reason of the revolt, for these workmen were still badly paid. Lord Grey, at this very date, wrote to Cecil:

'Very pity forces him to lament the continual moan and complaint of the gentlemen serving here, who are driven to very great extremities of want of money, want of victuals in store, the dearth of fish and other cates, and the strait abstinence from flesh, commanded by the late proclamation, who continually care for supply themselves, and that these soldiers are starved with hunger and ready to perish, who must either be relieved with money or with liberty of flesh-eating.'

Grey was very anxious to push on the fortifications, and asked for more workmen, but was denied the request. He suggested the employment of soldiers, and asserted that *one thousand* of them would do more work than *three thousand* day-workers. Instead, however, of more workmen being sent, a sudden whim came over her Majesty, and orders were sent down to Berwick to dismiss all workmen but four hundred. This stopped all progress, and put an end to the expectation of finishing the new work this year, or even of having the walls in a state to be guardable. The Governor got sick of all this worry, and retired to the Court. Before Grey set out to London he appointed Sir Thomas Dacre, of Lanercost, Marshal of Berwick, and committed the charge of the town to him in his absence. While absent, a strange idea of defending the town was originated with those left in charge of the works and this new Marshal. They thought that a deep and

* Probably from river Derwent, a tributary of the Tyne. Coals were wrought at Winlaton, under date 19th February, 1367 ('Pipe Rolls,' 40, Ed. III.), and were carried thence in keels to the port of Newcastle, and thence shipped to London. Winlaton is skirted by the river Derwent. T. J. Taylor in 'The Archæology of the Coal Trade,' Arch. Inst., 1852, vol. i., pp. 157, 159, 208, 209.

broad ditch dug from the river to the sea by way of the castle would act as the best defence, and render Berwick absolutely impregnable. Sir Thomas Dacre, Richard Goodall, and John Rophe took measurements of the distance. 'From low-water mark of the Tweed to low-water mark of the sea is four thousand feet. From Tweedside to seaside, taking one place with another, the ground is eighty feet deep, so that the sea may easily fall into the Tweed (!). For the safe-guard of the town there may be water fifty feet deep always standing, if need require. There are three hundred feet between the walls and where the ditch shall be for casting the earth towards the water.' There are strange and startling statements in this paper. How the sea may easily fall into the Tweed, or how fifty feet of water will always stand in this ditch when required, will certainly puzzle most of the engineers of the present day.

The pay of the soldiers was still an almost insurmountable difficulty. To assist in the relief of the town Valentine Brown, the Treasurer, begged for license to export the hides, fells, and tallow which came into his possession from the animals slaughtered for provision of the garrison and workmen. The power of exportation was in the hands of the freemen of Berwick, and they were unwilling to lose any of their rights. He was urgent, however, for his need was great, and this source of income would be considerable, since 20 hides, 60 fells, and 300 lbs. of tallow was the daily produce of the royal shambles. The Queen, at length, granted the required license, which produced a temporary relief to his greatly embarrassed position. He was £26,000 in debt, and he could not tell how to pay it. To make matters worse, he had some 'evil' malt in possession, upon which he lost heavily. One thousand quarters were still in his possession, after eight hundred and forty had been sold to Bertram Anderson, of Newcastle, who then said he could take no more. Money was so sparingly sent from London that, when a mass of treasure did arrive, it was exceedingly difficult to divide it so as to satisfy the most clamant. Brown says, 'With such an amount it is as troublesome to please the recipients as if none had come!' and 'Some evil rumours were swarming in the heads of the soldiers which broke forth in bills written and scattered in the streets.' A Proclamation, August 5th, 1562, issued for the whole of England, troubled the Berwick authorities not a little, especially when they were in such straitened circumstances. Three points in this proclamation, that caused anxiety, were: First, ought they to proclaim at all in Berwick, 'which is of the realm, but not in it.' Secondly, the proclamation limits the size and order of the weapons, and the officers think that a Town of War should have no such order nor limitation. Thirdly, the uniform of soldiers was to be altered. Well, if this was to be

done, 'the soldiers in this garrison must go naked in the meantime.' It was not only the soldiers who suffered. Sir Thomas Dacre, Deputy-Governor, complained: 'Extreme necessity causeth me thus plainly to open my misery, for I knew this charge was thought a relief to me. I was undone before I came to it. I am now worse, and every day the longer the worse.' Lord Grey adds that 'Dacre is a very beggar.' This is enough to show the extreme misery that many of the Queen's servants had to endure.

Lord Grey returned to Berwick in the autumn of 1561, on the condition that he should remain here only half a year. At the expiration of the term Cecil refused to relieve him, and, from Grey's pen, after he had described the state of Berwick and its fortifications, we have the following appeal (April, 1562):* 'As he perceives that the preachers who are now absent do not intend to remain here, he would fain depart in their good company, and become a better man in his old days, and serve God now.' He asks Cecil 'to help him to some quietness, and to remember his age and his long troubled time of service.' It is evident the old man was in failing health, for, although he remained here during the summer, he retired early in the autumn to Cheshunt, in Hertfordshire, to the house of his son-in-law, where his death took place ere the year terminated, on the 25th December, 1562.†

A word on the fortifications at the time of Grey's death—they were not yet nearly finished. To complete the work, it was now estimated that £50,000 would be necessary, and, from the sums that were actually paid, we learn that this sum was equalled, if not exceeded. A declaration of their state in the beginning of this year shows the exact position in which the surrounding wall then was. The statement accounts for their height and length from the point of the Bulwark at the west side (Meg's Mount) unto a place called the 'Cantewell' (Catwell). 'The walls are now built up 14 feet high for 4,743 feet of circuit, and 11 feet high for 370 feet more; and 2,149 feet are yet unfounded.' No mention is yet made here of the part from the Catwell to the Bridge Gate. It was the intention of the authorities to build the wall 22 feet high, and it was estimated that it would take 71,238 feet of hewn stone to raise the height to 20 feet all round. The earthwork for riveting the walls was yet to be begun. It was to be continued from Roaring Meg, round the north part of the town, to St. Nicholas Mount (King's Mount), and was to consist of 'yerthe and hatherwork.'

Considerable activity prevailed during the whole of 1562 on all the different parts of the walls. Great stores were sent from London to help, such as spades,

* See Appendix V. for Survey of this year.

† Stowe and Holinshed give the right date. Redpath is in error in his surmises. See Elizabeth's 'State Papers,' 1562.

shovels, scowpes, malles, steel, soap, elm-planks, gin-ropes, necessaries for carts, tumbrels for spars, deals for the smiths' forges, and three steel anvils. Johnson wrote to Cecil on August 22nd that the foundations of the north bulwark next the Snowke (Windmill Mount), from the middle of the 'Collyon,' all along the side of the bulwark for about 300 feet, were 10 feet high and 18 feet broad, and at every 16 feet a buttress was made, which runs 15 or 16 feet into the rampart. Then again, on December the 9th, Dacre and his friends wrote to Cecil, 'That before the winter is past a great deal will be in readiness for the new wall, as well as for making the curtain between the Catwell and the bulwark at St. Nicholas' Ward, and for opening the ditch, that the flanks may serve to the point of the same bulwark.' They were now contemplating making the curtain between Bridge Gate and the Catwell, which was to be flanked for the purpose of stopping the back lanes that lead to the town, so that none can pass but by the Catwell. The work was actively carried on all the winter and during the spring of 1563, till the month of April, when, by some sudden whim, all progress was again stopped for the greater part of that year.

After Grey's death no new appointment was made for nearly a year; Sir Thomas Dacre, the Marshal, and Sir John Selby, the Master Porter, acted as deputies. A few unconnected incidents, which may be chronicled in order, are all that concerns our history for this year.

Earl Bothwell had an errand to Queen Mary's uncles in France, and was wrecked in passing along the coast. He escaped to Holy Island, where he was seized by Queen Elizabeth's agents, and where he was kept till orders were sent for his disposal. He had a packet of letters with him concerning the defeat of the Earl of Huntly, a Roman Catholic. In terror lest he should be delivered to the tender mercies of the Lords of the Congregation, he begged to be retained by Elizabeth, and promised that he would willingly serve her Majesty. He was handed over to Percy at Tynemouth, and thus passes out of our history.

About the same time another shipwreck occurred, which showed their frequency in those days. Clavering, who had then charge of Norham Castle, was blamed for taking away materials from the wreck. But Dacre excused the theft thus: 'Really, most of the goods were washed to sea, and the people hereabouts are not to blame. She is a mere wreck, with her keel upwards.' The Admiralty, however, demanded £2,200 for the spoil, upon which Dacre added that 'this will be the ruin of this district, for the people got not £44 out of her.' Clavering was Thomas Percy's deputy on the Borders, and Percy thus excused his lieutenants: 'He is grieved that no man is arrested, besides those of Norham, when all the

world knows that the soldiers of Berwick had the spoil four hours before the Norham men came to it. Sir Ralph Grey has many of the goods; divers gentlemen carried away two unbroken coffers each before Thomas Clavering. Sir James Crofts (who was the original offender in this business) had more than any ten there, although his "finesse" could well enough put the matter off.'

The Scotch lords gave an account of another shipwreck to Sir Francis Leek. Thomas Kincaid and George Clapperton had sent a boat laden with dry fish and wheat to Berwick, and the said boat on the 12th inst. being within the haven, ran aground on the Spital side, when the inhabitants of Spital and other Englishmen came that night and spoiled the goods and merchandise forth of the boat, with all her apparrelling. The writer desires that restitution be made with all expedition.

Giles Cornwall was a noted captain of the garrison; an adventure of his occasioned many a hearty laugh in Berwick in these olden times. Giles was passing through Tweedmouth* on a fine frosty day in February when he heard a noise in a house. He entered, and when he saw that soldiers caused the noise, he rebuked them. One returned upon him evil language and drew his weapon. Cornwall drew also, and in the scuffle gave him a dangerous blow on the head, and then departed. He made off to Berwick, where he was seized, and told that the man was dead. In the night he escaped in terror through the 'Windmillehole' and through the 'White Wall Postern,' and was found some time afterward at Coteford, in Northumberland, when, to his surprise, he was informed that his enemy had, in a few days, recovered from his hurt.

One act of particular condescension must be noticed. We have seen that Beverley, though only of Scotch extraction, was obliged to demit his office in Berwick; but we have now the fact that John Douglas, a Scotchman, had been preaching in Berwick, and had proved himself acceptable to Dacre, who sent to the Queen for permission for Douglas to stay with them. This permission was graciously granted. For maintenance of the garrison minister every officer was to give four days' wages and every other in 'Solde' two days. The Queen was to add £50 per annum.

The conduct of Valentine Brown, Treasurer, becomes very difficult to account for this year, especially if he was always a sober man. He was accused of 'Summoning riotous meetings of armed persons; he had liberated prisoners committed to ward; he had caused persons to assemble at night after the watch was set; he cast *fireballs* and *squibs* upon the walls, and he had disputed Dacre's

* Tweedmouth was said at this time to be the receipt and den of all disorderly people hanging upon the garrison. We have seen in a previous page what that meant.

authority.' Brown made light of these accusations in a letter to Cecil: 'Has heard that he has been blown upon by Dacre and others, but he requires no favour.'

Francis Russell, Earl of Bedford, received the appointment to the Governorship of Berwick in December, 1563, and he assumed the office in Berwick on the 29th March, 1564. For the first time in the Guild Books there is a notice of the incoming of the new Governor, which says that he was treated to a 'propine' of sugar and wine on his arriving in town, at a cost of £6 3s. 9d. After he was installed in office, some very sententious precepts were handed to him from Cecil for his guidance:

'1. Think of some nobleman whom you can take as your pattern.
'2. Consider your commission attentively.
'3. Weigh well what comes before you.
'4. Let your household be an example of order.
'5. Allow no excess of apparel, no dispute of princes' affairs at table.
'6. Be hospitable, but avoid excess.
'7. Be impartial and easy of access.
'8. Do not favour lawyers without honesty.
'9. Try to make the country gentlemen agree; take their sons as your servants; train them in artillery, wrestling, etc.
'10. Your doings have deserved praise; continue to deserve it.'

No sooner was Bedford appointed than he complained of the defenceless state of the town. He 'finds the place weaker and less defensible than he conjectured, being, between the new and the defacing of the old, a thing of so little strength as a field is more guardable.' From this time, by means of this report, a new and steady effort was made to complete the walls and ramparts. In the beginning of this year the bulwarks called Meg's Mount and Hunsdon's Mount were nearly finished (*i.e.*, the two extreme bulwarks); Cumberland's, or Middle Mount, required some further work. The Brass Mount was not more than founded. The Windmill Mount was founded, but none of it was more than a few feet in height. This statement shows the work still to be done. Five hundred workmen and artisans were engaged for the completion of the work, and eight hundred soldiers of the garrison assisted in this laborious operation. The whole building went on apace save the work at the Brass Mount. After it was built up a certain height, the foundation slipped, for it consisted of loose gravel. The walls having cracked, the whole had to be pulled down, refounded, and rebuilt. This delayed the com-

pletion of the walls till near the close of 1565. The earthwork was not finished till the following year.

The engineers still continued to debate the question whether the Snook should be encircled with a wall—a wall taken from the Brass Mount to the top of the sea-cliff, then along the top of the cliff by the sea, right on by the Pier Road, till it joined the wall of the town at Hunsdon's Mount. Portinary, the Italian, had long held that this should be done. He was now supported by Jacob à Contio, a countryman of Portinary's, who had been brought to view the fortifications. William Pelham, sent by the Queen to aid in deciding about this debatable line, took the view of Lee, the resident engineer, that no such wall was necessary, which opinion, as it took less expense to carry it out, prevailed. The two Englishmen yielded to the Italians so far as to allow 'a ditch to be dug overthwart the Snook from the old Cowgate to the sea.' This is exactly the position of what is now called the 'Covered Way.'

It has caused considerable debate in present times whence all the earth that rivets the walls and forms the bastions came. The fact seems very clear that there was more than sufficient at the time for all purposes. A contract was entered into with one John Fleming, of Berwick, for a thousand marks, to clear, especially from about the Cowgate, the clay that had accumulated there. He took it away to fill up some valleys in the 'Snowke,' and cast the remainder into the sea. The mass of earth was undoubtedly furnished, partly, from the earthwork of the old wall, and, partly, from the ditch or moat that was dug around the present walls. This ditch was two hundred feet in width, and, in the middle of this ditch, there was another twelve feet broad and eight feet deep, which was always kept full of water. This would easily give the requisite mass of earth for all these purposes.

For the building of the walls the Queen's officers had seriously defaced the castle, and now contemplated the destruction of the Bell Tower. Lee recommended (and Bedford agreed with him) that the castle and Bell Tower should be levelled with the ground. The Queen at length ordered their demolition. Why this order was not carried into effect, there is no evidence to show. It was not for another century that the castle was thus hardly used; while the Bell Tower still stands, three hundred years after Sir Richard Lee, Surveyor of Berwick, had determined to raze it to the ground, the only remnant of that old line of fortification which Edward I. built, and Bruce did so much to strengthen.

The ownership of the 'Snowke,' so frequently mentioned in these transactions, became at this time a matter of great dispute. It took folios to settle the question, whether it belonged to the Victualler to feed his beeves for her Majesty's service,

to or the Surveyor that he might feed the horses necessary for the Queen's works going on at Berwick. After much time was wasted in this argument, it was found to belong to neither of them, but to the Mayor and Corporation, to whom it had been granted by Henry IV. in the year 1404 A.D.

The Borders had now, for some time, been moderately quiet, but this calm was again seriously disturbed—a consequence of the disorders in Scotland. On Darnley's marriage the Scots became arrogant. The death of Rizzio and the murder of Mary's husband intensified this feeling. During the next few years of Scotland's misrule, all life upon the Borders was stained with rapine and bloodshed. The Elliots had overthrown the Scots early in August, 1565; the Laird of 'Hakupe' was slain in Jedwart Forest—one 'tuik him on the heid and dang out all his harnes;' then thirty or forty Scots raided across the Border to Haggerston, where men and women were slain, horses and cattle as usual stolen. Supported by Bothwell's influence, the thieves continued to do great harm. The Berwick garrison were obliged to take part in the work. On the 5th January, 1566, being market-day, the Under-Marshal Drury (who had succeeded Dacre on Bedford's appointment), hearing that certain were spoiling, passed into the bounds with certain of the garrison without Bedford's knowledge, and, espying the reivers at 'Down's Law' coming with a trumpet in their company, appointed certain to prick at them. The reivers fled through Foulden and Eddington, where one of the Laird of Eddington's men told the Englishmen that his master was making ready to help them. After the English had passed, the Laird of Eddington, Davy Hume, and one of the Laird of Blacadder's sons rode to Chirnside, and then set upon them, hurt two and took seven, slew one horse and took eight. As the Scots denied they were in the bounds on that day, he straitly charged the Under-Marshal to tell the truth, 'who said that two of the reivers were standing on a knoll within the Bounds, and that the rest had already passed the Bound Road.' Bedford commended his captain's action, and, finding no redress from the Queen of Scots, proceeded in the usual manner to take revenge. He 'sent certain captains with three hundred men of the old garrison of horsemen to Chirnside, to make search for his men, and to bring them away, with as many horses as would redeem theirs. However, his men brought sixteen men and forty-one nags. Four men were slain, and one boy, by chance, was shot with a harquebus. He has sent all back, save two men and seven horses.'

During the remainder of Bedford's residence here the Borders were in continual disturbance, which grew worse and worse, until he was recalled on the 9th October, 1567.

While Bedford was Governor, many notable persons visited Berwick. The Lords of the Congregation, after having had hard times in Scotland, came to see the town. Bedford wrote to Cecil to ask 'if they might walk on the walls, for they were all well affected.' After their walk they passed into England, where they remained until 'David's' death, immediately after which they returned to take part in the stirring affairs which followed that event. Lord Darnley visited the town about the same time, but it seems to have been a mere pleasure excursion. Lord Seton, shortly after the last visitor had gone, fled to Berwick for refuge; for he had slain Francis Douglas, a Scotchman. Murray and Lethington were both here, travailing in peace-making to little purpose. Then, greater than all her lords, the Queen of Scotland came and looked upon it. After she had ridden that terrible ride to Hermitage, after her illness at Jedburgh and recovery therefrom, after she had actually been burned out of her house in Jedburgh, she turned towards Berwick. Word had been sent by Murray to Sir John Forster, deputy there, 'that as the Queen was passing to Coldingham, she desired to pass through part of the Bounds. Forster, at once, ordered the Master of the Ordnance to prepare the great guns, and ordered all the soldiers to be on the walls with armour and weapons. Leaving the Master in town, he took with him forty horsemen, and caused the gates to be locked after him, and so rode to the Bound Road and met her, with Murray, Huntly, Bothwell, Secretary Lethington, and Lord Hume, with five hundred horse. She came to 'Hallidoun Hill,' and, while she was there, 'the great ordnance shot off all that night.' So she passed towards Coldingham. Bedford, immediately after this, paid a return visit to Scotland, to be present at the naming of the Prince. On the 9th of December he rode towards Scotland with all the gentlemen that came to be with him. He expected to be met at the Bound Road and at Dunbar by a great company. He had received a letter from Elizabeth about the nomination of the child and thus was ready, when he got to Stirling, to give advice on this point if asked. Why Bedford should have troubled himself about the name is not easily comprehended. These creatures of Elizabeth's wrote about everything. Killigrew,* at the Scotch Court, wrote Cecil thus: 'He was brought to the Queen's bedside, who received Queen Elizabeth's letter joyfully; was brought to the young Prince, whom he found sucking his "nourzee." Afterward he did see

* Of Killigrew Captain Cockburn wrote to Lord Burleigh: 'These persons like little of Mr. Killigrew. He was called in Berwick with such as desired, "Stimp, Stamp, my Lord Basket-maker." Nevertheless, he has at sundry times done good offices in Scotland. The regent likes him.' Cockburn signed himself, 'Your lordship's right humble and obedient, with service to command for ever and longer.'

him as good as naked. His head, feet, and hands are, to his judgment, well proportioned.'*

Bedford's health was now beginning to give way, and he asked for recall from Cecil: 'Let me pray you have in remembrance my coming hence at Michaelmas; for being subject to rheumes and catarres, as Dr. Hewycke, who knoweth best the state of my body and complexion, can declare. Fears this winter will make an end of me. I speak thus only for preservation of health.' He was recalled soon afterwards, and the management of the garrison fell upon Drury until a new appointment was made.

* Compare Burton's description of James VI. as a man with this finely proportioned child.

CHAPTER X.

A COMPARATIVELY quiet year passed under Drury, when on 23rd August, 1568, Henry, Lord Hunsdon, Queen Elizabeth's cousin, succeeded to the difficult post of Governor and Warden of the East Marches. Hunsdon was well fitted by many qualities for this position. He was severe, rough, and boisterous, yet a man of considerable humour. He had difficult work before him, as the Borders, for some years after his assumption of office, remained in a most disturbed state. Directions were sent to him for his guidance. The appointment to the offices of the garrison was in his hands. He was to hold the musters, view the munitions and ordnance, and cause perfect books to be kept. He was to fill up vacancies in the pensioner list with those of the old guard of horsemen who were unable to serve. As Warden of the Marches, he was to confer with the other wardens, to view his charge, to see to the reparation of his various castles, to put in execution the Statute of Enclosures, and to prevent the conveyance of horses out of the realm. He was allowed to levy 100 horsemen as a guard, whereof fifty may carry shot.

Four days after his arrival he wrote to Cecil to send on his patent as soon as possible, and added a postscript: 'On Wednesday was killed within twelve miles of this town, sixty porpoises and whorlpools,* whereof he ate part this night to supper.'† 'Whorlpools' are supposed to be porpoises of a large size. He had little leisure to contemplate such matters. Early in September he wrote:

'He had scant laid down in bed but there was great alarm in the town, whereuppon they repaired to the castle with all speed, where within twelve score [yards] was slain one of the scouts,

* 'Whorlpoles' = fish. Halliwell's 'Dictionary.'

† The food was sometimes of an extraordinary character. Val. Brown, Treasurer, sent to Cecil as a present a box containing 'The puddings of a solan goose of Scotland.'

having four wounds of the greatest he ever saw in his life, besides divers others.' 'Next morning, Sunday, September 5th, Rowland Forster came to him with some who had been at the killing of the scout, and brought him the names of divers others, who, in preying upon him, had killed one of his men 70 years old, and hurt divers others, and carried away the cattle with *Kill and slay*.' 'Was not so soon come down to church but he had six other complaints as ill as that, and some poor man crying out that they must live upon him, for all that they had was taken by the Scots. No night escapes without killing of the Queen's subjects.'

He finished his note with the usual cry, 'Money! more money!'

The Papal party at present was strong in Scotland, and were aided and urged on by the Queen; hence the boldness of the Scots, who were coming up to the very walls of the castle, and taking horses and cattle from the fields immediately adjoining the town. Murray, the Regent, came to Berwick in the month of September, with 300 horsemen, and passed along the Borders to try to quiet them. This had a temporary good effect. He thought 'when at Jedburgh to have done more justice; for there was a great fair being held, and he thought he might apprehend the most part of the chiefest offenders; but they had some hint of his coming, so he missed those he would have taken. However, he got sixty, whereof he executed three.'

Other evils than thieves were troubling the Borders. 'Small-pox is so plentiful here, there is but this house and the Marshall's free of it. At Newcastle they have a burning ague, cousin german to the plague, for they live not past twenty-four hours. At Edinburgh the plague is rife.' Hunsdon added a postscript again, 'Have a new disease here called the Hyves. It is akin to the small-pox, and a younger son of the plague.' The grudging of money on the part of the Queen and her advisers led to great peculation among the officials in Berwick. At this time it was recorded by Hunsdon, 'that if Sir R. Lee, who had been Surveyor for a long time, had been as willing to have set forward the strengthening of Berwick as he was for his own gain, it had been in better forwardness. His doings here shall be better known!' Brown, the Treasurer, was accused by Johnson, Surveyor under Lee, of embezzling £5,000. Bennet, late Master of the Ordnance, was declared guilty of selling shot, powder, and all manner of things that any man would give him money for. It is quaintly added 'that the Queen must be contented with the loss, for he died not worth a groat.' Thomas Sutton succeeded Bennet, and was very anxious to make his post a mere sinecure, and fill it with a deputy. Hunsdon wrote indignantly of this: 'He heard that Sutton was going to send one Coke of Newcastle as deputy, who was as fit for it as he himself was to be a Bishop.' The Governor's post was *not* a sinecure. The Scots were troublesome; he was surrounded at the present time by the plague, small-pox, and

hyves; he had servants given to peculation on all hands, and little to the purpose for good service.

As the year wore on, matters assumed a more serious aspect. In November a proclamation was issued, in which the soldiers and inhabitants were warned, on pain of their allegiance, that they must, neither by word, nor fact, nor countenance, speak or utter any misliking of the Queen's most royal person or her most gracious proceedings, or to the favouring or supporting of any traitorous, mutinous, or seditious fact or practice against her Highness. No person was to be allowed to depart out of the town or bounds without the consent of the Deputy. These orders were evidently anticipative of some unusual commotion, whose origin can be traced in the fact that the great Northern Rebellion arose immediately thereafter. Murray was still on the Borders when the rebellion was broken up. Having a large body of men with him, he was able to apprehend Northumberland and carry him off as a prisoner. Murray shortly after this met a violent death. The clan Hamilton,* being enraged at him for some real or supposed injury, determined on a most resolute measure of putting an end to his life. On January 23rd, 1570, he was shot while passing through the streets of Linlithgow. The Earl of Westmoreland, who had joined Northumberland in rising against his Queen on behalf of the restoration of Papal power, threw his hat into the fire for joy at the Regent's death. On his death the whole evil passions of the district were let loose, for Murray had a strong controlling influence over the Border thieves. The Papal party among the Scots, having joined themselves to the same party in the North of England, seemed for a while not unlikely to go on to greater victories and more widespread renown. But, fortunately, Hunsdon was able to cope with their forces, which he met in the open field, and over which he gained a complete victory. The army was led on by Leonard Dacre, of Gilsland. That victory had further-reaching consequences than is commonly imagined. A writer† says, if Dacre had been the victorious general, it might have led to such a combination of Papal power, both of Scotland and of England, as would have hurled Elizabeth from the throne. The English Court thought the circumstances of a grave character, for Sussex was immediately sent to the North with 3,000 troops to quell all attempts at rising and to punish the rebels. But, before this could be done, the Scots had made some notable raids into England. Led by Ker of Ferniehirst, Scott of Buccleugh, and the Earl of Westmoreland, they came 'to Mindrum and took away 5,000 sheep and 140 head of cattle to Kirknewton, and took 400 head of cattle, besides horses,

* Of the Hamiltons it is said, 'Cam never a gude byrde of the Devillis Eg.'

† Editor of 'State Papers' for the year 1570.

mares, and insight gere, and above 200 prisoners, besides hurting of divers women, and the throwing of sucking children out of their clouts.'

Severe punishment of the Scots followed close upon this raid. All along the Borders, Hunsdon and Sussex swept with an army bent on wasting, slaying, burning. Ninety castles were ruthlessly destroyed, three hundred villages burned to the ground. Buccleugh anticipated the English at Branxholm. When Sussex reached this stronghold, he found it as cruelly burned as if he had done it with his army. 'It was a very strong house, and well set with very pleasant gardens and orchards about it, but all destroyed.' 'Howick burned easily, so many thatched houses were in it.' Hume Castle fell into English hands after a siege of nine hours. The garrison, after the surrender, walked out with their lives, save two Englishmen, 'Kelliard' and 'William God-Save-Her,' alias 'Lions,' who were executed at Berwick. Fast Castle surrendered to the same force, but at the first summons. Drury says that fourteen men were sufficient to defend it against any invader. After all this was done, one can scarcely be sorry to read that 'Sussex is much pained in the head by reason of a great cold taken on these journeys,' and Hunsdon adds: 'The extreme travail of body, with lying on the ground and hard rocks in Home and Tividale, has brought the Lord-Lieutenant into an extreme of cold and fever.'

Immediately this raid was finished, and every possible harm had been inflicted from Berwick to Carlisle by all the Wardens on the English side, Sussex sent Drury, Marshal of Berwick, into Scotland, to assist the Protestant Lords against those that sided with the Queen's party. With 1,200 men and five engines he marched to Coldingham the first night, then to the *Peece*, near Dunglass, whence they continued to Stirling to see the young King. At Glasgow Drury was nearly assassinated:

'When Drury came alone on horseback within reach, they most dishonestly shot at him with great despite, meaning to have killed him, without any regard to the law of arms or the fear of God. The worthy knight bestowed his pistols so freely at them as they did their harquebuse shot at him, and escaped back to his company without any bodily hurt. This unworthy act was done by Lord Fleming and his soldiers. Geo. Carie wrote to him and challenged him to fight a duel with Drury, otherwise he "will baffull his good name, sound with the trumpet your dishonour, and paint your picture with your heels uppermost." Fleming wrote in answer: "I have read your brainless letter, making mention of my treasonable dealing, which is altogether false and untrue," adding that he won't fight with anyone but the General. Carie again replied: "Often the Fleming's afternoon answer smelleth more of wine than of wit;" and ended thus, until Lord Fleming meet him: "I shall account you devoid of honesty and honour, unworthy to march upon ground and keep company with men."*

* The character of the Queen's party for mischief is forcibly expressed by Drury thus: 'If they were able to set all the devils in hell loose to make mischief, they would not leave one of them untied.'

After reading this correspondence it is very evident to us that these worthies could retort upon one another with considerable force.

What suffering must have been in the district that winter! When 1570 had gone, we are told that on the 9th of January of the following year a severe storm had lasted for nine weeks, and snow was still falling. The storm continued till February. When it broke up, the bridge gave way, and there was no passage for boats on account of the 'multitude of ice.' This severe winter succeeded to the burnings and wasting of the summer. Wheat by the end of the year had risen to excessive prices, and was likely to be dearer than had been known for twenty years. It was selling at 40s. per quarter—a very high rate considering the value of money at that time.

After Murray's death, the Earl of Northumberland was detained in Scotland, and it was not till 1572 that he was delivered to the Governor of Berwick by the Laird of Clyshe:

'He was convoyit be sum Scottes men to Berwick, and thare tane to London. The quhilk was done for £10,000,* quhilk was delyverit to the Erle of Mar, regent, and erle of Mortoun, quha mycht have had from the same Erle xxiij pundis, to have remanit in Lochlevin at thair command. This falt was done for some other cause nor we know, to the great schame of the realme to steal sa noble a man ane presonar, that cam in this realme for saiftie of his lyff, quha was sone efter his cuming to Londun† heidit, quarterit and drawn.'‡

Clyshe brought him to Berwick and got £20 for his trouble; the Queen was advised to give him £100 for his great travail. Hunsdon did not get so easily quit of him as the narrative would lead us to believe; he says of his charge:

'Has had little talk with the Earle; but he truly seems to follow his old humours, more ready to talk of hawks and hounds than anything else. He hopes for a discharge of the Earl, for he has slept few quiet sleeps since he had him; for, as there is no strong house to keep him in, he is fain to keep watch and ward about the house night and day.'

And, on June 8th, he marvels that he has no orders for sending the Earl up. He got quit at last of this weary burden. It took £12 8s. to find the Earl clothes at Berwick, £109 for his charges there, and £66 13s. 4d. to send him to York.

The autumn of 1573 was very wet. Valentine Brown reported to Lord Burghley, 'Here is such tempest of weather and rain as has not been seen these forty years. It has continued without intermission eight days and nights, besides much like weather thirty days before. There has been a marvellous spoil of the corn on the ground through all these parts where the harvest standing ungathered is like to perish. The vehemence of the tempest has broken away one hundred yards of the old wall of the town towards the river, whereby he stands in great

* £2,000 of English money was the sum paid.—'State Papers.'

† Froude says he was executed at York. ‡ 'Diurnal of Occurrents.'

fear the sea shall break into the storehouses ere the winter pass.' Again, about six weeks later, he wrote: 'By the great hurt to the old walls of the town, by great rages of fresh water and tempests from the sea, the prison is so undermined as it is in great danger to fall and so let the sea into the storehouses and lower parts of the town. If it fall, it will take £10,000 to repair the damage.' £1,643 actually repaired this piece of old wall. These notices are interesting in this particular, as, from Hunsdon's Mount to Meg's Mount, the wall by the river has always been in the position in which we find it to-day. According to tradition, the Edwardian wall did not enclose the lower part of the town, viz., the Ness and Bridge Street; while really it was the Elizabethan wall that shut out these parts. It will be noticed that not only were the storehouses of the garrison and the Governor's House situated on the Ness, but the *Prison* was also there. This is evidently the prison on the wall, afterwards mentioned in the Guild Books.

Next year, 1575, there happened the last of the great raids into England—the raid of the Reidswire. It does not concern our story. Hunsdon seemed interested in it, but in reality it did not touch our border. After this raid had passed, some petty pilferings went on, but excessive punishment was meted out to the thieves by all the Governors who had, after this, to do with Berwick. Hunsdon was more given to 'hanging than either hunting or hawking.'*

During all these busy years, up to the end of the last raid, Brown was Victualler of Berwick and Treasurer as well. He had spent large sums of money, and had, as usual, great difficulty in obtaining repayment. He was driven to borrowing from the Berwick merchants,† some of whom must have been wealthy men. He obtained by loans in the year 1570 as much as £14,933 6s. 8d., while the expenses of the garrison for the same year were more than £17,000.

While Brown was Treasurer and Victualler, very strict regulations were laid down as to the manner in which he was to execute his office, and the amount of victuals to be given to each man. This agreement between Brown and the Queen was made:

'To the intente that the soldyors and workmen of the said garyson and town moughte be victualled from hensforthe at such rates and prizes as maye be reasonable for them to live on (!)' Here are the rates: 'Bread, called Cheate bread, for every ij men, by the daie, one two-penny lofe, the same to waye into the ovens Lij ozs., which will make xxiiij oz. of breade for a man by the daye. Beere: to be rated after one pottell for a man per diem, the price thereof to be after xxxs. per

* Hunsdon says of those taken at Reidswire: 'The names of the takers of Sir John Forster and the rest given in were a set of beggarly harlotts and sheep-thieves not worth the hanging.'

† 'Names of merchants who loaned the victualler: Adam Pindleburie, James Garston, and Hugh Fuell.'

J. HERRIOTT, Photographer, BERWICK.

tonne; the same tonne of bere to be made of xij busshells of malte and one busshell of wheate flower for head corne, and the same to contain ccxl gallons full, delivered at the brewhouse dore. The said Vall. Brown to find the casks and the soldyors to delyver the same emptye and hole again, or els to pay for it after the rate of xs. per tonne. Beiffe ffreshe or mutton, rateinge ij lb. weighte for euery man per diem, the price betwen Easter and Mydsomer of befe and muton, one with another after, j^{d} obq [1¾d.] the pound waighte; from Mydsomer till the first daye of Januarye after, j^{d} q [1¼d.] the pounde; and from the sayde first day of Januarye till Skroftyde after, j^{d} obq [1¾d.] the pound waighte. Butter and Cheese: Ffor ffysche dayes,* after one pounde waighte for euery man per diem. The butter to be sold after Liij^{s} iiij^{d} the barrell, and chese after xxxiiij^{s} the waye; between the last of June to thende of October. And againe betwen the last daie of October and the last daie of June, viz., butter after lx^{s} the barrell, and cheese after the rate of xl^{s} the waye. The price of the other provisions alone is given. Salte fische after the rate of x^{d} the pece; linges at xiiij^{d} the pece; white herringes of the best, at xxvi^{s} viij^{d} the barrell. Becade herrings of the beste, at xij^{s} the cade. Vynegar after vi^{li} the tonne. Tallow roughe after ij^{d} the pounde. Otes for horsses, at iiij^{s} viij^{d} the quarter. Beanes for like purpose at xij^{s} the quarter.

'It is agreed the goodnes, waighte and ussyes of the premisses shalbe monethlie vewed by suche as the Governour and Counsell of the sayde towne shall appointe, and vpon varietye to be judged by iiij discrete indifferent persons, viz., ij for the sayde Vallentine and other ij for Garyson.'

Brown, thus guided in all his work, ought to have been closely overhauled upon any default; yet, it has been seen, he was not free from peculation, and the provisions were not always the best. He retired from his post in 1576, and was succeeded as Treasurer by Robert Bowes, and as Victualler by Robert Vernon. A new Collector for the Customs was at this time appointed, viz., Robert Ardern. Sir Robert Constable was appointed Chief Marshal, under Hunsdon. In the Treasurer's instructions he was informed that he should receive £15,000 from different counties in England for payment of all charges in Berwick. Rules were laid down for the certification of all payments to the garrison and its different officers, and he was on no account to exceed the allowances prescribed. In addition to his own pay, he was to have £26 13s. 4d. as house-rent; a further allowance of 20s. for every £100 by him received for transportation of treasure. The Surveyor of Works was to be paid according to a scale regulated by the amount spent in any one year upon the works. If it exceeded £300, he was to have 3s. 2d. per day. If over £500, 4s. 2d.; and if over £1,500, 5s. 10d.† The new Victualler was to regulate the amount given almost identical with the last:

'Every man to get per day one loaf of bread at 1d.; one pottle of beer, after 30s. to the tun of 240 gallons, at 1d. Every man 2 lbs. of mutton per day for 1¾d., from Midsommer to January and for the other half of the year at 1½d.; ½ lb. of butter for one man per day, and 1 lb. of cheese. Oats and beans as before; and he shall make provision for 500 horses, and victual to serve 1,500 men for a year. He was to be paid for his trouble 20s. per diem.'

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* The fish days were Wednesdays and Fridays of every week.

† The whole establishment is given at great length in Appendix No. VI.

The Collector of Customs was instructed thus:

'As there is no tanner between Berwick and Morpeth, and no bark to be got on account of the scarcity of timber, the Free Burgesses are to be allowed to export raw hides, and the *rate* of the Customs was to be considered. For four "daker" can be bought here for the price of one further South. Likewise for wol fells, for these are both small and very coarse. The import of wines he must likewise consider, as wine was a kind of provision and necessary for stores. No tonnage or poundage was to be exacted in Berwick.'

Not long after the Collector of Customs was appointed, he complained of the evasion of the customs here by smuggling between England and Scotland. There was a constant transference of goods both ways. Wools and fells, leather and wines were sent from England to the north; and linen cloth, woollen caps, steel caps, short swords, Scottish daggers, spurs, and horse harness were sent southwards, and he pleaded for redress by his wish to enforce the absurd statute of Edward IV.

One other matter of interest at this period remains to be mentioned. The harbour mouth, always difficult to enter, was now causing considerable trouble. Constable and Johnson* reported concerning the haven, and suggested for its improvement a great wall of rough stone, to be built at a total expense of £701 9s. They further reported 'that the haven mouth was, in its narrowest place, at low water, 340 feet in breadth and 2 fathoms and a quarter in depth.' This report was given in on May 15th, 1576, and on May 31st of the following year Constable again reported 'that the Pier is now begun, and they have found hard by them a quarry of stone, as the like has not been seen for good. It lies so in order as it bene laid by the handywork of man, and it is so very hard that it is like marble in colour and otherwise; and rises so abundantly that they cannot wish to have better.' Thus was Queen Elizabeth's Pier built, the remains of which were visible when the present pier was erected, about seventy years ago.

Immediately after the events narrated, we have from the pen of Robert Bowes, Treasurer, in a letter, dated October, 1579, to Lord Burghley, an account of the plague, which had, at last, visited Berwick: 'The plage in this towne increased something in thend of the last mone, and is now dispersed into 16 or 17 houses. Yett ther are not above 42 dead thereof, and not one soldier in pay. The brute of this sycknes maketh much feare in Scotland, as all Scotyshmen are restrayned by proclamation publyshed not upon payne of death to resorte to that town; or to receyve or deall with any person or stuff thereof, whereby I find greatt difficulty to send or receyve any letters or messages to or from that realm.' Next year, on 9th July, 1580, in another letter to the same, he wrote: 'The same sickness (as

* Rowland Johnson, Surveyor of Works, successor to Sir R. Lee. He had long held a position under Lee.

in Edinburgh) raigneth generally in this towne, beginninge with paynes in the head or eyes, sores in the throte, and brest in nature of a colde. None have dyed thereof as yet in this towne.'* The symptoms of this disease seem more of the nature of an influenza than of what is commonly understood as the plague.†

Sir Harrie Widdrington came to Berwick about the year 1580 as Deputy-Governor under Lord Hunsdon. He and his lady were very useful in Berwick during this decade. Very friendly to the Protestants and Scottish Nonconformists, they harboured many of the preachers who were exiled by the extraordinary endeavours of King James of Scotland to thrust Episcopacy upon an unwilling people. Sir Henry seemed, however, to have been, like many another kind man, very short-tempered and overbearing. Rather a ludicrous incident happened in Berwick, in which the Mayor and he figure prominently. Valentine Brown, late Treasurer, had forced a man out of his house, and Hugh Fewell had obtained possession. He again sold it to Edward Merry. Merry was in possession when the Mayor and he were summoned to the presence of the Deputy to show cause why the house was not given up to Sharpe, its original owner. After some altercation between the Deputy and Merry, the Mayor, standing quietly through all the interview, now interfered in these words:

'I said unto him, Sir, if and please you I was in the Councell house with divers of my neighbours, when I did heare my lord say that Sharpe had not to doe with the house but with Browne, and that your Lordship would deal with Browne, whereupon he burst forth in great ire, and said by God's heart I leyed in my throat. I answered him again: And if it please you I do not lye, my neighbours and I will prove that it was my lord's words. Who answered me again, By God's heart I would rather thee and them were hanged. I said, if it please you these are very hard words to give me without cause, considering who I am. Who answered me again, Who are thou, knave? I said, I am the Mayor of Berwick, and her majesty's leutenant here in causes. Who answered me with a great oath, If thou tell me what thou art, I will take thee in the mouth with my fist, and take thy staff from thee, and lay thee by the heiles. Does thou know, knave, where thou are and to whom thou speakest? I answered and said to him, Sir, and if it please you, I do know you to be one that hath the government here under my Lord, and soe I trust I doe use you; and I said further, I am very sorry I have troubled you at this time, and if it please I will depart and trouble you noe longer. So I took my leave of him reverently and ran my wayes, and by this means the matter was broken off. So I thought to make known unto your lordship the somme and substance of the speeches, for they doe discourage me in my office.'

The answer of Hunsdon to this letter was sharp and incisive. Sir Henry got a good scolding in very plain language:

* Volume of Surtees Society, edited by J. Stevenson.

† Robert Weddell, who gives the above details, says: 'It is curious to note that one of the name of Stevenson died of the plague in October or November, 1579. He was owner of a house on east side of Marygate, and left it, when dying, to his wife for life, then to his son William, and after him to John Wilson, of Chatton. William, the son, died soon after his father of the same sickness. This was followed by the death of his wife Isabella, so the whole household perished.'

'Your hard and sharp speeches to the Mayor are so far past reason and with soe small discretion as I do not a little marvell at it, and indeed is not to be borne by them. For both I and all the Queenes Councell there, are to uphold and maintaine the Mayor in all his privileges and jurisdiction, and to punish any man that shall dare either infringe their liberties or use any unreverent speeches towards them. I am afraid you follow somebody's advice and counsell in these matters that will do you no good, and therefore I pray you take heed of it. I have said to you heretofore, soe must I write to you again, and I pray you thinke of it. You are not Sir H. Widdrington only, but you are Marshall of Berwick, and in these matters you are to answer to the Queen and her Counsell. Thus I am forced to write you otherwise than I did think I should have cause to have done, which I doubt not you will take in good part as from him that means well unto you; and soe, with my commendations to your wife, I bid you farewell.'

After he gave this castigation to his deputy, we hear no more for a year of Hunsdon; but, in 1582, there were evidently some uprisings of rebellion or of treason in the town. A 'pamflett' had been found in a corner where it should not have lain, and one Ayre, Captain Carvell's man, was supposed to be the guilty person. But there is no certainty of this, and Hunsdon wrote to Widdrington:

'I require and charge you to call the said Ayre before you, and such other of the Counsell, if any be there, and such other of the captains as you shall think fitt, and examine him upon some presumptions as you write to me of; and if he will not confess the truth you may threaten him with the rack. If that will doe noe good you may use some other torment unto him, as mannickeling by the fingers, or by putting his feet in the stocks with a pair of new shoes, and put them to the fire. If all this will not serve upon advertisement from you, what likelihood is there he doth know and will not confess? You shall have authority to wrack him, which may not be done without six of the Councells hands to it. You must examine where he came from, most likely out of Scotland. Let this be diligently and severely looked into, as I doubt not you will doe.'

The cruelty of this proceeding is evident. All this was to be done to prove the man innocent.

At this time Hunsdon was absent from Berwick, and he stayed away so long from his charge that the Queen grew annoyed. On the 8th June, 1584, she asked his son Robert to write him and tell him of her displeasure. Sir Robert's letter is too good to omit:

'May it please your Lordship tunderstande that yesterday yn the afternoone I stoode by hyr Majestie as she was att cards in ye presens chamber, she cawlde me too hyr, and after askte me when you mente to go to Barwyk. I towlde hyr that you determynde too begyn your jorney presently after whytsontyde. She grew yntoo a grete rage, begynnynge with God's wonds that she wolde sett you by the feete and send another yn your place, yf you dalyed with hyr thus, for she wolde nott be dalyed withall. I towlde hyr that with as much possyble spede as myght be, you wolde departe.'

The real difficulty at issue was that of pay. Hunsdon, like the others we have seen, could not get money at all. He had plenty of fair words and fair promises; no man had more. When he conquered Dacre on the Borders the Queen wrote him thus:

'I doubt not, my Harry, whether that the victory was given me, more joyed me, or that you were by God appointed the instrument of my glory. . . . . I can say no more. "Beatus est ille servus quem cum Dominus venerit inveniet faciendo [*sic*] sua mandata." But that you may not think you have done nothing to your profit, though you have done much for your honour, I intend to make this journey somewhat to increase your livlihood, that you may say to yourself: "Perditum quod factum est ingrato."'*

Hunsdon was somewhat facetious over this. When nothing but fair words came of it, fond of using proverbs, he says: 'While the grass grows, the steed starves.' Later he adds, with more bitterness, 'that he is fed on the pap made from the yolk of an owl's egg.' He came to the north shortly after his son's letter was written, but not to stay, for he was in London again, after the death of the Queen of Scots had so seriously disturbed the peace of Europe.

Before this crisis occurred a few interesting particulars may be noted. Rowland Johnson, who had long served the Queen here, had continued to knock at the door of the Government for an increase of pay year by year, which was never granted. He had served in Berwick for upwards of twenty years, as Overseer of Works of the new walls, of the pier built at that time, of the frequent repairs of the old bridge. He now succumbed to old age and to hard work badly paid. The Earl of Leicester, whose influence was now becoming of great value, immediately after Johnson's death obtained the office for his servant, William Spicer. This appointment 'was for the tearme of his lief, to be exercised by himself or his sufficient deputye, with such fees and profittes as Rowland Johnson latelie had.'† Scotland, at this epoch, was cruelly vexed by the King, who was determined to enforce Episcopacy upon those who were either Knox's contemporaries or his immediate successors. Andrew Melville, the most influential of them all, and perhaps the ablest scholar among them, had already left Scotland and taken refuge in England. His nephew James was obliged the next year, 1584, to follow his example. James escaped by stealth, dressed as a sailor, in a small boat, in which he sailed from St. Andrews by St. Abb's Head to Berwick. James has left an autobiography‡ of very considerable interest, and from it we learn the incidents of that sea voyage, written with graphic particularity. The following extracts will show the difficulties he had to encounter:

'To keipe the sie all night in an opin litle bott it was dangerus, and to go to Dumbar we durst nocht; sa, of necessitie, we tuk us toward St. Tab's Heid. Bot we haiffing but twa eares, and the

* Froude's 'History of England,' vol. ix., p. 217.

† 'Egerton Papers,' Camden Society. Spicer did not hold this position for any length of time. He was succeeded by William Acrigg, and this latter by Thomas Burrell.

‡ Wodrow Society edition, by Robert Pitcairn.

boot slaw and heavie, it was about alleavin houres of the night or we could win ther. Howbeit, na man was ydle; yea, I rowit my selff till the hyd cam af my fingars, mair acquented with the pen nor working on an are.'

They came to the little harbour at Pettycawick, and refreshed themselves with water and wine, and in the early morning, wakened by the noise of the birds, they were forced to sail out. They had then to pass Coldingham and Eyemouth, where Alexander Home, of Manderston, had his residence:

'This put us in grait feir; but our gude God gardit us, making a swek thick mist till aryse,' so that none could see them from the land. 'Sa we cam on hulie and fear till we wan within the bounds of Berwik, whar we was in graittest danger of all, unbesett in the mist be twa or thrie of the cobles of Berwik, quhilk war sa swift in rowing that they ged round about us, bot we being fyve within burd, and haiffing twa pistolets, with thrie swords, and they na armour, they were fean to let us be, namlie, when they understood that we was making for Berwik.'

When he landed in Berwick he was welcomed by several friends already in town. His uncle Andrew, James Lawson, Walter Balcanquall, Patrick Forbes, and some other gentlemen, all of whom passed southwards, and left James Melville to 'pretche in thair rowm.'

Being in Berwick, he remembered 'the sweit tender-harted young las that he had maried.' So he resolved to send for her, that they might take part together in their exile. Then he says:

'I taried in Berwik about a monethe, and teatched twyse everie ouk,* whereby I gat verie grait friendschipe, namlie, of a maist curteus and godlie lady, my Lady Widdringtoun, spouse to Sir Harrie Widdringtoun, Knight, and Maister Governour of the Toun, under my Lord of Houndesdean, wha defreyed me of all my charges during the tyme I was ther, and offrit me ten crownes of gold at my parting; bot I haid na neid of tham, and therfor refusit tham thankfullie. I haid also offered me by divers guid men and weimen of the town; bot, haiffing of the bountiful liberalitie of my God aneuche brought with my wyff, I wald nocht incur anie liklihead of a mercenar; but trewlie I fand sic fectfull professioun of trew Christianitie in Berwik as I had never seen the lyk in Scotland.'†

After this, Melville went south, and disappeared for a while among his friends in London. But, next year, Scotland was seething in discontent, and the people began to think that all the evils, which were sweeping over the country, were the consequence of the banishment of the protesting lords and ministers. There had been a most destructive pestilence raging in all the large towns during the summer. The harvest that followed was destroyed by 'sic tempest of weather and rean.' Then, according to Melville, what finally determined their return, was the murder of Sir Francis Russell,‡ son of the Earl of Bedford, late Governor, at a day of 'Trewe,' held 27th July, 1585, at Hexpethgatehead, near the Cheviots. This

* Preached twice every week.

† We have still the effect of Sampson's preaching in Berwick evident in these lines.

‡ Summoned to Parliament as Lord Russell.—Burke's 'Peerage.'

murder was supposed to be planned by Arran and Ker of Ferniehirst. The Queen was 'sae crabbit' about this murder that she licensed the return of the ministers of God and the noblemen to assist the Protestant section against that which still held rule under the name of the Queen of Scots' Party. The whole company returned to Scotland by Berwick, to take the places of power and influence, which they had formerly left to escape imprisonment, or even a worse fate. Melville returned to Berwick after some time, and died there in the beginning of the next century, 20th January, 1614-15. His will was made in the previous February, and witnessed by Michael Sanderson, William Fenwick, and James Lanye. An inventory of all his household goods is given, which shows the furnishings of a house at that early period.

John Carey, the second son of Lord Hunsdon, was made Chamberlain of Berwick in 1585, and resided on the Borders for a number of years, and formed one of the Council of Berwick. Robert, the more active and ambitious son, was employed, at first, more in carrying occasional tidings than in doing any fixed duty here. He brought the news of Queen Mary's death, and was commanded by Elizabeth to convey the tidings to King James. The King, knowing of Mr. Carey's arrival at Berwick, sent him word to stay his progress, as he could not guarantee his life if he ventured within the Borders, so great was the indignation of the Scots at the execution of their Queen. After negotiations, it was settled that Carey should communicate his intelligence to commissioners from James, who would meet him on the Borders. The meeting took place in Foulden Kirk, about a mile within the Scottish Borders. Sir James* Home, of Cowdenknowes, Governor of Edinburgh Castle, and Sir Robert Melvill, Under-Treasurer, were the Scotch Commissioners, to whom Carey delivered his message and his letters.

In 1588, King James, in the same manner, visited Berwick, or rather looked upon it from the same point, as his mother had done some years previously. James came by Langton to Wedderburn, then to Halidon Hill, and so passed on. Hunsdon, writing to his Deputy, Widdrington, refers to this visit:

'After my hearty commendations I have received your letter by my son, touching the King's being upon the Border, as also of his coming to Hallydoun Hill, which was very well used by Mr. Treasurer and yourself in suffering my sonne to goe to him, as alsoe in showing him that honour as to shoot off all ye peces in the town, which her Majesty being informed of doth take in very good parte. . . . . I thinke my return to Barwick will not be so soon as I thought for, unless any Spanyiards land in Scotland, which I hope they shall not be suffered to doe; and soe, having noe other news to write unto you at this tyme, I commit you to the Almighty.'

This letter is dated 9th May, 1588, the year of the Armada. Hunsdon did

* 'James' in Redpath's 'Border History;' 'George' in Carey's 'Memoirs.'

not return to Berwick during that summer. Events in the south were too stirring to allow of his absence from Court. On the 1st of August he wrote to Sir Harrie Widdrington a most interesting account of the Armada, and urged upon him to send south every man he could spare from the garrison, his own men, about seventy, at any rate. The only local reference in this long letter is a single paragraph at the end. Sir John Selby, Master Porter, had laid claim to Lonsdaill Anney to be his inheritance. Hunsdon says:

'It seems very strange to me that either he or anybody else cann make any claim to any land in Scotland. . . . . I was contented Sir John Selby should have it for a time, but not knowing what occasion I should have to use it myself, having found great lacks of hay at my last being there. Mr. Selby might have had it longer, but since he lays claim to it, I do not intend to be so bad an officer to the Queen as to suffer land to be carried away without words. Mr. Selby was given to actions like this, for when he had Norham under me he sank a colepit, and now claims it for his inheritance.'

Hunsdon had not hurried back to his charge at this time, for, on March 6th, 1590, he wrote to Widdrington:

'After my hearty commendations, these are to let you understand that Mr. Bowes, her Majesty's Ambassador in Scotland, hath written to my Lord Treasurer that there is a woman witch of Scotland in Berwick, either in prison or otherwise, wherein the Scottish King is very desirous to have her delivered to him. His Majesty's pleasure is, that, if there be any such there you should keep her safe in prison and advertise some of the King's ministers thereof, that when the King shall send for her she may be delivered unto him.'

In a postscript to this letter, he says:

'Since the writing hereof I understand certainly that the said witch is in Berwick and was taken about Inysed [sic], whereat I greatly marvel, considering I never heard thereof from you; and therefore pray let her be safe kept till you give notice as aforesaid, and that she be sent thither at the King's pleasure.'

From what we know of the King of Scots' character, there would be every probability of a thorough search into the root of this matter. Another case of a witch occurred in 1598, under the Governorship of Lord Willoughby:

'We find and present that, by the information and oath of credible witnesses, Richard Swynbourne's wife hath of long time dealt with three several women witches for the bewitching of one William la —— [sic], garrison man, who did answer that they could not hurt him, but that a man witch must do it; which the said Swynbourne's wife hath confessed to this presently, that at length she had gotten a man witch for her purpose. The further examination herein we refer to the Lord Governor and Council.'*

This is the only case of witchcraft mentioned in the Local Records. More care was now paid to the auditing of accounts under Queen Elizabeth. Several of her servants had been guilty of gross peculation; and now Sir Robert Bowes, Treasurer, could not get his accounts passed, for items in them were disallowed. He pleaded Lord Hunsdon's orders; but was firmly told that the 'Establishment'

* 'Council Book, 1598.'

was of greater force than Lord Hunsdon. Upon promise not so to offend again, he was allowed the full amount. Bowes was not much in Berwick after this. He went to Edinburgh, where he was employed at the Scotch Court, and Under-Treasurers were appointed to pay the garrison. This did not seem to work well; for Sir John Carey complained much of it. 'The old paymesters were regular and juste in their payments, such as, first, old Mr. Clopton, then jonge Mr. Clopton his sonne; after them, Mr. Astreton, and then yonge Mr. Ralph Bowes. But the present Mr. Shepperton does as he likes;' and he adds, that 'I never had so much complayninge by the Garrison of beinge reeved from their paies and so much exclaminge of the town for beinge undon for want of payment. I am not able to redresse it, which is my grief, to here men complayne and can do them no good.' 'It will be the ruin of this town,' he says, 'if a Governor is not appointed worthy of the place, of sufficient authority to restore order and credit to the town.' Before a new Governor of the town was appointed, we have to record the death of Hunsdon. He died on July 23rd, 1596, and was buried in Westminster Abbey at an expense of £1,097 6s. 1½d. He had been nearly thirty years Governor of this town, and ten years General Warden of the Marches. He was Captain of the Pensioners and Lessee of the Royalties of Norham and Islandshires under the Crown. He was a very popular Governor, and the King's Mount was called after him 'Hunsdon's Mount.' Sir Robert was, shortly after his father's death, advanced as General Warden of the Marches; and Sir John, as Marshal of Berwick, had the entire charge of the town. As such, he had enough to do to keep the peace with the garrison, and to restrain Border thieves. To bring this fully out, and to show the utter barbarity of the Borders at so late a period as 1596, we have from Sir John's pen the following notices:

'There hath bene many injuries and dishonours offred me and to the toune of Barwick by the Skottes, as by stealinge of things owt of the bowndes, and divers other wares, whereof I have in some sorte revenged parte, and other parte I have sate withall. But now thus it is, my good Lord, upon Candlemas eve last, there came at night four Scottes, their names were these: John a Daglisse of Widcopen, in Tyvydale, Robyn Daglisse and John a Daglisse of Lynton, both brothers, and one Tom a Pringle of Howname. These foure men came into the Bowndes, and owt of the Snooke and Mawdlen fildes they toke sixe horses, whereof there was but one of them myne, the rest were other men's. This injurie I toke to be very greate, beinge evin under the Wales of Barwicke; whereupon I made greate searche, and knew streight whoe had them. When the thieves knew that I had discovered them, they were fain to have returned them or satisfied me; but I did not wish it ended thus at first but at length agreed to it. But the horses were not delivered even till the present time (the crime happened on 1st Feb., and it is now July 3, 1596). So I took advantage of the Musturs, and sent 50 men to Scotland to punish the theeves. They came upon John a Daglysse at his house at Wideopen, and there they broke upon his house, and *cutt himself all in peces*, and so came their wayes. I would gladly have got them all four together.'

This summary justice upon Daglisse was resented by Queen Elizabeth. She

took 'this to be verie barbarous, and seldom used among the Turckes.' Then Sir John defends himself in an original fashion, and in one that sheds light upon the old Borderland:

'Of the slaughter by Sesford of these poore men in Wollor, and one other subject of her called Will Storie, and all this but for one shepe hogg that was taken from Sesford's shepherd, nor of the slaughter of a verie honest yeoman goinge at his ploughe without intent to hurt, being slayne by Sir John Carr, who came first to the poore man's wief, and askt where he was, who shewed him where her husband was goinge at the plowe among manie others; and Sir John, asking among the poore men which was Bowlton, came to the poore man himself and asked his name, whereuppon the poore man, in good manner, put of his hatt, tould him his name was Bowlton; presentlie Sir John verie valientlie drewe out his sword, and cutt him three blowes upon the head, and left the rest of his companie to cutt him all in peces.'

He goes on to tell how the same Sir John fetched two Scotsmen out of England, and drowned the one going over the water, and hanged the other in Scotland; and of certain Scots going into Mr. John Selby of Tyndale's house, and, without any known quarrel, 'cut him all to pieces; and how the young Mr. Haggerston, Thos. Burrell, and manie others were *most cruelly mangled*, besides destroying and laying waste many towns on her Majesty's Borders;' and adds, 'if all these crimes will not serve for the killing of one theif, then lett me receive such punishment as her majesty may please to inflict upon me.' This is enough to show what state the Borders were in when Sir Robert Carey came into full power to govern them. In his first year the well-known Buccleugh incident happened. Kinmont Willie had been taken by the English on a day of Trewe, and lodged in Carlisle Castle. Buccleugh, being Warden, resented this unjust seizure of the freebooter; and, after exhausting all means to liberate him from Lord Scrope's hands, he made a night-expedition to the castle, and freed Kinmont by force. Elizabeth was greatly incensed at this and other misdemeanours of Buccleugh's and Cessford's.

A meeting of Commissioners was appointed at Berwick to examine into the misgovernment of the Borders; and nothing would satisfy but that Buccleugh and Cessford should be delivered up to the English as prisoners at large, as hostages for the good behaviour of the Borders. Buccleugh at length came to Berwick, and gave himself up to Sir William Selby, and Cessford gave himself up to Sir Robert Carey. Such confidence won Carey's friendship; so they remained fast friends during the rest of his government of the town. Buccleugh, it is said, was presented during his stay in England to the Queen, when she asked him, 'How he dared do such a deed?' The 'bauld Buccleugh' at once retorted, 'What is there a man *dared* not do?' The Queen added, to a Lord-in-Waiting, 'With ten thousand such men our brother in Scotland would shake the firmest throne in

Europe.'* After this, Carey controlled the wild forces of the Borders to some extent; and he is credited with having largely reduced their thievish and murderous propensities, by severely punishing some, and by treating others in a spirit of generous confidence. But Sir Walter Scott says very truly, 'It was not until the union of the Crowns that any material alteration took place in the manners and customs of the Borders. Upon that great event, the forces of both countries, acting with more uniform good understanding as now the servants of the same master, suppressed every disorder of consequence.'†

Sir John Carey was relieved of his grievous burden of governing Berwick in 1598, on the appointment of Peregrine Bertie, Lord Willoughby, as his successor.‡ Sir Robert Bowes, who had long been Treasurer of Berwick and Ambassador at the Scotch Court, died on December 23rd, 1597,§ just before the change of Governors. Sir William Bowes succeeded as Ambassador, and brought Peregrine and Elizabeth his Queen into difficulties with James of Scotland. He had conveyed cunningly away one Ashfield, a dangerous fellow, to Berwick; and the King swore that if any harm came to him, or that he be not restored, he would be revenged on his head. The Queen had ordered both Sir William Ashfield's and Sir William Eure's imprisonment for holding secret communications on the succession. This was always a sore point with the Queen. She justified Ashfield's seizure and imprisonment in quite forcible language: 'As for his taking out of your contry, it was utterly without our privitie, and done only by our Governor of Barwycke to redeeme his owne error; but, being done, and the partie fallen into our hands, we had no reason to omytt the occasion to chastyse so lewd a Caytyffe.'‖ What became of this 'Caytyffe' is not known.

Peregrine Bertie was not long Governor. He had held the office only three years, when his death occurred about June 25th, 1601. John Guevara,¶ one of the Captains of Berwick, wrote to Cecil on the above date:

'I have to report the saddest accident that could befal me. Lord Willoby is no more. When he saw he must go, he said, "I wish my soul might never enjoy the blessings of the heavenly light

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* Sir W. Scott's notes to the ballad of 'Kinmont Willie.'

† Scott's 'Provincial Antiquities,' p. 138.

‡ Peregrine was son of fourth wife of Chas. Brandon, Duke of Suffolk. This lady was heiress to Lord Willoughby D'Eresby. She had no children to the Duke, but she married Richard Bertie after the Duke's death. Peregrine was the eldest son. His parents were exiles in Mary's reign for religion, the Duchess being a zealous Protestant. Peregrine was born in exile, hence his name.

§ Sir Robert Bowes was buried in Berwick churchyard.

‖ 'Elizabeth's Letters,' Camden Society.

¶ Guevara, the writer of the above letter, obtained the reversion of the office of Tents and Pavilions at a fee of £30 a year. This is the only mention of such an office.

if ever my heart were other to my sacred anointed Queen than truly or sincerely faithful, or if I ever even in my thoughts gave just cause to offend her. Whatsoever evil the wicked harpies of the world have shrieked out to my prejudice, God forgive them; and let Mr. Secretary (that most born gentleman) believe me (for I speak the truth in Christ), my heart long since has been with him, as David's was with Jonathan. And if time and occasion would have made me so happy as to witness it in my life, I should have enjoyed great contentment therein; but now I can do nothing but speak. I recommend to him my eldest son, and I beseech him satisfy my desiring soul in his honourable care of him.'

From all we can learn of Lord Willoughby, he seems to have been a brave and good man. He fought valiantly at the battle of Zutphen, and commanded the forces in the Netherlands after Leicester was recalled. His bravery has been handed down to us in an old ballad:

'The 15th day of July, with glistering spear and shield,
A famous fight in Flanders was foughten in the field:
The most courageous officers were Captains English three;
But the bravest man in battle was brave Lord Willoughby.

'The next was Captain Morris, a valiant man was he;
The other Captain Turner, from field would never flee.
With fifteen hundred fighting men, alas, there were no more!
They fought with fourteen thousand then upon the bloody shore.

'"Stand to it, noble pikemen, and look you round about,
And shoot you right, you bowmen, and we will keep them out;
You musket and culiver men, do you prove true to me,
I'll be the foremost man in fight," says brave Lord Willoughby.

'And the bloody enemy they fiercely did assail,
And fought it out most furiously, not doubting to prevail;
The wounded men on both sides fell, most piteous for to see,
Yet nothing could the courage quell of brave Lord Willoughby.

'For seven hours, to all men's view, this fight endured sore,
Until our men so feeble grew that they could fight no more;
And then upon dead horses full savourly they eat,
And drank the puddle water, they could no better get.

'To the soldiers that were maimed and wounded in the fray
The Queen allowed a pension of fifteen-pence a day,
And from all costs and charges she quit and set them free,
And this she did all for the sake of brave Lord Willoughby.

'Then courage, noble Englishmen, and never be dismayed
If that we be but one to ten, we will not be afraid
To fight with foreign enemies and set our nation free,
And thus I end the bloody bout of brave Lord Willoughby.'

His lordship was the last of the Governors before the union of the Crowns and the dispersion of the famous Garrison of Berwick. It is said that Hunsdon

and Willoughby were both great favourites with the people, and that the period of their official life was the final period of the town's prosperity.

Sir John Carey was again left in charge, along with Sir Harrie Widdrington. During the interval between Lord Willoughby's death and the Queen's, the following incident took place: 'Here was one Mowbray, a Scottish man, accused by one Daniel, a little pigmie Italian fencer, that he wold have suborned him to have slaine the King of Scots. The other denies it constantly. Whereupon he was demanded by the Lord Home to be sent and tried there. The counsaile condescended so far as to send him away with him, and the dwarf Daniel must follow, or was already gon to trie it out to the utterance, if the Scottish King think fit, and will give them *Campo Libero.*' The issue was, that Mowbray suffered death; and the King of Scots granted Daniel* a pension of 90 marks per annum.

Almost immediately after this, the air grew thick with saddest rumours of the Queen's illness. Sir John Carey, Lieutenant-Governor of Berwick, heard of it first as a sleeplessness, with no sickness and no pain, but still a pining away. Sir John had long been striving for leave of absence to come up to Court, but now that was impossible. He must 'arm himself with patience perforce. The news hath sett such a grefe so neer my hart as I fear will not esely be removed, styll doutinge the worst.' Sir Robert Carey managed to be in London at the crisis. He sent a messenger four days before her death to King James, who was all expectant and greatly agitated about the state of affairs. The messenger had audience of the King in his bed at seven o'clock in the morning, and delivered his tidings, 'that the Queen was past all hope, and could not live three days.' Sir Robert, in anticipation of this, had posted horses all along the North Road, that he might be the first to bring the news to the King. On the morning of the 24th of March she died; and Carey immediately mounted and rode off to Edinburgh. He arrived there on the third day after the Queen's death, notwithstanding a severe wound on the head which he received by a fall from his horse as he was crossing the Borders, and which caused him great pain the rest of the way. He was at once admitted to audience, and hailed James as King of the British dominions. James, in a proud moment, made Carey a Lord of the Bedchamber, forgetting, or probably being unaware of the fact, that he had ridden off with the news against the express orders of the Privy Council in London. James was obliged soon afterwards to deprive him of the office to appease the wrath of these Councillors. Among the first to congratulate the Scotch King on his newly acquired dignity

* Daniel Archdeacon, or Archideaquila, was his name.—'Chamberlain's Letters during Elizabeth's Reign.' Camden Society.

was the Mayor of Berwick, in name of its Corporation and inhabitants. In these words he wrote:

'Barwick, 26 Mch, 1603. Most gracious and our sole redoubted Soveraigne, fforasmuch as it hath pleased the heavenly disposer of earthly kingdoms to take to his mercy our late most gracious Soveraigne Lady Queene Elizabeth, and in exchange of a transitory crowne to bestowe Vppon her an immortal diadem. And where it hath pleased the Lord to settle the hearts of the true-hearted nobilitye and Commonall State of this now your Highnes Realme of England by Mutuall Vnamitye and free consent, to publish and proclayme your most sacred Maiesty the Indubitate heire and Lawfull successore of the Monarchall crowne of the said Realme of England,

'Wee, your Maiesty's most humble and hearty affectionate subiects, the Mayor, Aldermen, and Commons of his Highnes Towne of Barwick-Vppon-Tweede, immediately Vppon true notice had of her Highnes decease, as well in Loyall zeall to your Maiesty as in full approbation of the said State and Counsells pendent publication, thought it our humble dutyes, and in like sortt did with present expedition publish (and with what solemnitye the leasure of time would afford) and proclayme your sacred Maiesty King of England, Scotland, ffrance, and Ireland, Defender of the Faith, with all other her Maiesty's late Vsuall titles and dignities. In performing of which dutye wee doe in all humility acknowledge nothing by vs done therein butt what the Lord's Providence, her Maiesty's late pleasure and the right of succession by lineall descent lawfully devolved Vppon your Maiesty necessarilye enioyned vs, and that with a hearty and plausable congratulacon. May it therefore please your most excellent Maiesty to pardon such defects, as by ignorance, omission, or otherwise by the straitness of times have happened in the performance thereof, and graciously to inroll vs in the ranke of your grace's loyall and sound-hearted subiects, offering, and that freely, not only our poore estates to be imployed att your Maiestie's appointment, butt even thinking ourselves in nothing more happy then to seall vpp these our unfeigned protestacons of love and obedience with the effusion of the last dropp of our dearest blood in any your Highnes' occasions. And thus we prostrate our heartes att the Altar of your Maiesty's clemency and princely disposition, and tender on our knees the humble homage of our love, loyalty, and hearty affection, wishing your royall Maiesty long, peaceably, and prosperously to reigne over vs, and ourselves to live and dye,

'Your Maiesty's Loyall, humble, and obedient poore Subiects,

'The Mayor, Aldermen, and Commons of your Highnes Towne of Barwick-Vppon-Tweede.'

The King immediately replied to this effusion of loyalty:

'To our Trusty ffriends the Mayor, etc. [of Berwick-on-Tweed]. Trusty ffriends, wee grete you heartily well; wee render you thanks for your soe dutifull affection, utterit in assisting and concurring sa willinglie with your Governour in the putting of the Town of Berwick in our hands, whilk we have appointed to be governit in the same forme and manner as heretofore, while we advise otherwise to dispose uppon the same. Assureing you alwaies to fynde us a gratious and loveing Prince, wha sall be carefull to maintain your wonted liberties and previledges and se that the same be na wayes brangillit nor otherwaies prejudgit, Sua wee committ you to God. From Hallirudhouse this 27 of March, 1603.'

It is very evident from the dates of these letters that the utmost despatch had been used by the Berwick authorities. Carey left London on a Thursday morning; he left Widdrington Castle on Saturday morning, the 26th; met his accident before he arrived at Norham at noon. Intelligence must have been sent to his brother

John from Norham. This flowing and eloquent epistle of the Mayor's must have been composed immediately afterwards and despatched to Edinburgh by special messenger. James's answer is dated next day, Sabbath, the 27th of March; and on the 28th, Monday, the Abbot of Holyrood was sent off to take possession of Berwick and receive the allegiance of the Mayor and the Governor. They, with the other officers of the Council of the town, were assembled at the cross. When there, the Governor surrendered the staff and the keys. On the oath of allegiance being administered to the authorities, the Abbot redelivered the keys and staff; and, after dining with the magistrates, he administered the oath to the commonalty, who had gathered in a crowd in the market-place, and then left for Edinburgh to report his reception. James did not start on his journey south till a whole week had elapsed. On Tuesday, 5th April, he left with a large train of English and Scotch attendants.* His Majesty travelled to Dunglass on his first day's journey, lodged there that night, and 'was splendidly entertained.' Next day, Wednesday, the 7th of April, 1603, he came to Berwick. He was received at the boundary of its liberties by Sir John Carey, accompanied by the officers of the garrison. The whole cavalcade rode thus slowly towards the town, and

'When his highness came within some half-mile of the town, and began to take view thereof, it suddenly seemed like an enchanted castle; for, from the mouth of dreadful engines—not long before full-fed by moderate artsmen, that knew how to stop and empty the brass and iron paunches of these roaring noises—came such a tempest as deathful and sometimes more dreadful than thunder, that all the ground there about trembled as in an earthquake, the houses and towers staggering, wrapping the whole town in a mantle of smoke, wherein the same was for a while hid from the sight of its royal owner. But nothing violent can be permanent. It was too hot to last; and yet I have heard it credibly reported that a better peal of ordnance was never in any soldier's memory (and there are some old King Harry's lads in Berwick, I can tell you) discharged in that place. Neither was it very strange, for no one can remember Berwick honoured with the approach of so powerful a master. As darkness flyes before the sonne, so did these clouds of smoak and gunpowder vanish at his gracious approach. In the clearness of which fair time issued out of the town Mr. Wm. Selbie, Gentleman Porter of Berwick, with others of good repute, and, humbling himself before the King, presented to him the keyes of all the ports, and, when his Highnes was in, he returned them again and made him a Knight; and thus his Majesty got within the second porte, and being within both walls he was received by the captain of the warde, and so passed through a double garde to the market cross to the Mayor and officers, and was received by them with joy.'†

When Christopher Parkinson, Recorder, a grave and reverend man, had delivered a short speech, the King went to church and heard Toby Matthews, Bishop of Durham, discourse on the occasion;‡ after which he went to the Palace,

* Redpath says he had 500 of a retinue. He was advised to take no more, for fear of disturbances. —'Border History,' p. 482.

† Nichols's 'Progresses of King James,' vol. i.

‡ 'The Bishop of Durham hath preacht at Berwike before the King, and said grace at his table twise or thrise.'—Manningham's 'Diary.' Camden Society.

amid the general rejoicings of the people. Next day the King remained in Berwick, went and heard prayers and sermon in the church in the morning. Along with the English lords who had come to give him their allegiance, he visited the fortifications and the port or haven, and, when on the walls, this valiant monarch, who could never look upon a naked sword without a shudder, actually fired one of the guns with his own hand in right kingly fashion. All the courtiers around declared they had never seen an act more valiantly performed! On the following day, the King, having made a royal present to the officers and soldiers of the garrison, and declared his grateful acceptance of the loyalty and affection of the inhabitants, mounted horseback after dinner and rode off to his new dominions. On reaching the bridge, he knighted Sir Ralph Grey, who had been of great service on the Borders. Thus the progress of the King on his journey passes out of our history. He was received on entering Northumberland by Sir Nicholas Forrester, Sheriff of the County.

James becomes henceforward the most important figure in Berwick's history. The new charter that he granted, and the lands included therein, remain to this day a monument in honour of his name.*

* The details of this grant will be given hereafter.

CHAPTER XI.

BEFORE proceeding further we must introduce to the reader a gentleman who was a great friend to Berwick for the next few years, viz., George Home, Earl of Dunbar. Raine says that George Home, who was the purchaser of the royalties of Norham and Island,* was the third son of Alexander Home, of Manderston, and had been from his youth a great favourite with James. In 1585, he was appointed Gentleman of the Bedchamber, was knighted, and made Master of the Wardrobe in 1590, and, in 1601, was constituted High Treasurer of Scotland. He attended the King into England in 1603, was made Chancellor of Exchequer, and the next year created a Baron of the realm by the title of Lord Home of Berwick, and appointed Governor of Berwick and of the East Marches. Soon after this he was made Earl of Dunbar, and installed Knight of the Garter in 1609. Spottiswoode, the historian, says he was 'a man of deep wit, few words, and in his Majesty's service no less faithful than fortunate.' Upon him James heaped more than empty honours. All the lands within the bounds of Berwick which did not belong to the freemen were granted him in absolute right. To this Earl the inhabitants of the town owed their charter in a

* Lord Hunsdon, lessee of the royalties of Norham and Island under the Crown, transferred them to his son Robert, after the latter had satisfied his brother John for any interest he had in them. After Robert lost royal favour, on King James coming to London, he had nothing to live on besides Norham. 'The Earl of Dunbar thirsted after nothing more than to get of me the possession of Norham. My Lord Cecil was umpire between us; he offered me £5,000. I held it at £7,000; £6,000 was agreed on and truly paid, and did me more good than if I had kept Norham. I went to the north to give possession, and sold my Lord Dunbar £800 of goods. I then went to Dunfermline to see the King's second son. I found him a very weak child.' The nurse to this child was Sir Harrie Widdrington's widow, whom Sir Robert married, and through whose influence he was restored again to royal favour.

great measure, and it was he who obtained the grant to build the bridge over the Tweed. To no one is Berwick more indebted. It is said that the exertions of Sir Robert Carey, while he remained on the Borders, were steadily curing the rievers on both sides of the Tweed of their thievish habits; but it is very clear that the Borders were far from quiet even after James's accession to the English throne. The Earl of Dunbar succeeded better than Carey, by his unexampled manner of punishment. In 1608, he exercised such severity against prisoners at Jedburgh that he condemned and executed a great number without trial. This is said to have given rise to the reproachful phrase 'Jeddart justice,' which is still used proverbially. In this manner the Borders were being reduced to order; but it was not for more than a century after James ascended the throne of the United Kingdom that the evil effects of the 300 years of lawlessness were eradicated, and a higher standard of morals and behaviour held full sway from Berwick to Carlisle.

Berwick garrison was now reduced to 100 soldiers, and it was recommended that the officers be dismissed, and the younger men be offered places in the service, in Flushing, Brille, or Ireland; that the horse-band and some footmen should be kept on half-pay. The ordnance, now of no use, was to be committed to John Crane, the Comptroller. Next year a warrant was sent to Sir William Bowyer, Captain, to permit removal of the brass ordnance and other munitions of Berwick to the Tower; so that the walls, not forty years after they were built, were dismantled, and rendered useless. The change in Berwick was great, and it told heavily on the inhabitants. For many years in Elizabeth's reign not less than £30,000 was spent annually between the garrison and the fortifications. The Lord Governors resided in the town, as well as other high officers. The 'Palace' and the 'Governor's House' tell of high personages who spent their time here. Now all was gone; the glory was departed. From this time the history of the town rapidly diminishes in importance, and what remains shall not detain us long.

The removal of the ordnance continued to be carried on. On 15th September, 1608, Sir Richard Musgrave, Master of the Ordnance in the North, was commanded to deliver munitions to the Earl of Dunbar, at Berwick; and, on January 9th of the following year, he got permission to ship a piece of ordnance on the *Princess Elizabeth*, from Berwick. Early in 1611 this great benefactor of the town was seized with a sudden illness, that terminated fatally, to the great grief of all who knew him.* The Earl of

* George Home, Earl of Dunbar, died at Whitehall, 29th January, 1611, and left two daughters co-heiresses: Anne, married to Sir James Home, of Cowdenknowes; and Elizabeth, wife of Theophilus, second Earl of Suffolk, Lord Walden, and Knight of the Garter. The Earl died

Dunfermline wrote to Salisbury that there was great grief at the unexpected decease of the Earl of Dunbar. 'He will, however, go to Berwick and make an inventory of his goods;' and he adds, pathetically, 'the burden of Scotch affairs will now weigh heavily upon himself.' The Earl not only came to Berwick but remained in town, and interested himself in the welfare of the people. He solicited Salisbury that the pension granted to Aristotle Knowsley, schoolmaster in Berwick, be continued to his son. His letter, July 15th, 1611, enclosed the petition of A. Knowsley for reversion of his pension of 12d. per diem. Another grant was given at this time, November 25th, 1611, to Isaac Waterhouse, for service at Berwick. He was to have a pension of 3s. per diem when other pensions fell in, that were now paid. Under Dunfermline's direction and at the instance of John Skinner, Chamberlain, the old law of Edward IV. was again brought forward, and proclamation issued that all traffic must pass through Berwick or Carlisle, and pay duty as before. This law, though on the statute book for more than 100 years, had been constantly evaded, and continued still to be disregarded, notwithstanding the influence of both Dunfermline and Skinner.

George Nicholson had been for some time in Berwick and on the Borders in the King's service. In Queen Elizabeth's time he had been at the Scotch Court, engaged in some State affairs. Throughout James's reign he acted as Surveyor of his Majesty's Works, along with Thomas Burrell, and he had a great deal to do with bridge matters. He recommended in February, 1611, that there was no necessity for a new appointment of Governor being made, 'for the garrison gradually decreases by death; the poor old servitors must die daily.' The King determined at once that not only Governors but Paymasters should cease to hold distinctive offices, and appointed George Nicholson, the petitioner, to be Paymaster as well as Surveyor. Orders were immediately afterwards issued to reduce the garrison in their pay, or they must go to service in Ireland. Evidently the King and his Councillors did not think the Berwick 'servitors' quite so old as represented. But Sir William Bowyer, their Captain, wrote 'that they were totally unfit for service, and he hopes their pay will be continued.' He begged for himself a piece of land in Ireland, if he was not to have Richard Atwood's pension as promised him by the Earl of Dunbar. The soldiers rebelled at the proposed reduction in their pay. Nicholson pitied them, and wrote to the King that he would reduce the offices in Berwick rather than the pay of the old men. Sir William wrote that he must have protection from some of the soldiers if the pay was reduced. He

suddenly. It was suggested that he was poisoned by some tablets given him for the cold by Secretary Cecil.—Raine's 'North Durham,' p. 33.

got protection, but from the civil, not the military arm. A very important change now occurred in the government of the town. It had been for centuries a military stronghold, under command of Governor, Captain, or Keeper (*custos villæ*); but now, when the garrison was entirely discharged, and half-pay pensioners were the only soldiers that were retained, who, the King recommended, should be amalgamated with the townsmen, and incorporated as freemen, the Mayor's power and position was increased. He was appointed to govern the town as in other burghs of England, and no longer to be subordinate to any authority but that of the Crown. Up to this time he had been paid his salary out of the Royal Exchequer; now, the yearly burden of £10 was transferred to the Town Chamber. The Mayor, from his superior office, wrote that he would grant protection to Sir William Bowyer if he still required it. A change had come; there was no longer any likelihood of disturbance, for the soldiers were very quiet, peaceable, and downcast. Sir William Bowyer, relieved from this fear, had now his wish granted. He was pensioned off with 10s. a day—5s. to himself and 5s. to his wife and to his son George, with survivorship. Sir William Selby, Gentleman Porter, at the same time, received a pension of £180 3s. 4d., after delivering the keys of the gates to the Mayor, with full authority to use them.

On the 23rd of May, 1616, Mr. George Nicholson wrote to the Government for £1,230 to be delivered to the Receiver, Mr. Thomas Scudamore, to pay the 'poor old servitors' their half-pay at Midsummer. He adds: 'Please send it speedily to pay this poor people for the preserving of their lives, which cannot be long; and so you would say if you saw their old faces and knew their great ages. I pray a speedy despatch of the money for the poor people.' No doubt these were the old pensioners of the garrison, whose duty it was 'to pray for the King and pick the walls and keep them clean.'

In the year 1617, in the month of May, a gleam of royal sunshine lighted up the atmosphere for a short time. The King, who had granted the burgesses their famous charter, paid a passing visit to the town. When the authorities were aware of his coming, they met in guild, and determined that, since 'his Majesty is to come to this Burgh, it becometh us in all dutie to show our loyalty and thankfulness in presenting unto his Highnes a propine. Having no stock [of money] in our Town Chamber, we find many are ready to lend £100 for this purpose, and the Mayor and Aldermen are willing to become sureties for it.' But a better plan was resolved on. £70 10s. was subscribed by the loyal inhabitants, four of the principal men giving £6 13s. 4d. Details of this 'propine' we do not possess; but £70 would give a noble feast in those days, and, if history be correct,

the King would enjoy the wine and the wassail-cup not less than the best of the aldermen of Berwick. He arrived in the old town on the 10th of May, entered Scotland on the 13th, and left it again for the south on the 7th of August.

Next year we have the following story from the pen of a traveller who vouches for its truth:

'So leaving Cockburnspath we rode to Berwick, where the worthy old soldier and ancient knight, Sir Wm. Bowyer, made me welcome, but contrary to his will we lodged at an inn, where Master James Aemotye paid all charges; but at Berwick there was a grievous chance happened, which I think the relation ought not to be omitted:

'In the river of Tweed, which runs by Berwick, are taken by fishermen that dwell there infinite numbers of fresh salmons, so that many households and families are relieved by the profit of that fishing; but (how long since I know not) there was an order that no man or boy whatsoever should fish upon a Sunday. This order continued long amongst them, till some eight or nine weeks before Michaelmas last, on a Sunday the salmons played in such great abundance in the river that some of the fishermen, contrary to God's law and their own order, took boats and nets and fished, and caught near three hundred salmons; but from that time until Michaelmas day that I was there, which was nine weeks, and heard the report of it, and saw the poor people's lamentation, they had not seen one salmon in the river; and some of them were in despair that they should never see any more, affirming it to be God's judgment upon them for the prophanation of the Sabbath. The 30th day of September we rode from Berwick to Belford.'*

The Postmaster in Berwick in the early years of this reign was Henry Shaftoe. He was then, as now, a public officer under the Crown. The town and the garrison were expected to help somewhat in this service. The royal order says that 'the most able and substantial persons shall keep good horses to serve for Post when need require.' No common soldier could refuse to let his nag for 'Post' when it was demanded. 'Captains, gentlemen, and horsemen of the garrison may refuse.'† To Postmaster Shaftoe a lease of land called the Post Banks, containing nine acres, was granted for twenty-one years for the rent of 10s. per annum, while he was to enclose the same.‡ These Post Banks, called from the lessee 'Shaftoe's Banks,' were the land lying between the present walls and the old fortifications.

In regard to the correspondence of the period, we are told that letters to Edinburgh passed ordinarily through this town, and the messengers were subjected to inquiry by the Government authorities of the Border garrison. The letters were then forwarded to George Nicholson, the Queen's Agent in Scotland (1593-1600),

* 'The Pennyless Pilgrimage, or the Moneyless Perambulation of John Taylor, *alias* the King's Water-Poet. How he travailed on foot from London to Edinborough in Scotland, not carrying any money to and fro, neither begging, borrowing, or asking meate, drink, or lodging, with other observations, some serious and worthy of memory, and some merry and not hurtfull to be remembered. Lastly, that which is rare in a travailer, ALL IS TRUE. London, 1618.'

† 'Council Book.'

‡ 'Guild Book, 1605.'

who handed them to the Scottish King.* It was by means of correspondence that Sir John Carey learned so early of Queen Elizabeth's illness, and was enabled to send a despatch to Edinburgh to 'Master Nicholson' before the arrival of the regular courier from England, who was hurrying to inform the King of a temporary recovery of the great Queen.†

A short time before the close of James's reign considerable difficulty arose about the shipment of Northumbrian wools, which had usually been exported through Berwick. The Sheriff and Justices, on May 2nd, 1622, wrote to the Council: 'There was no cloth trade carried on in the county, the wools being too coarse. Formerly these wools were sent to Berwick or Newcastle for export, and on this being forbidden they suffered great loss.' The result of this prohibition led to some lively work on the Borders. John Greenhead, Comptroller of the Berwick Customs, in a letter to Sir John Wolstenholm and others, wrote (1623) 'that he had discovered that Sir William Grey, of Chillingham, had transported wool to Scotland without paying Customs, and was about to transport more, when he assembled men and seized what remained, marking it with the Broad Arrow as seized for the King; but the people near, being Grey's tenants, refused to find horses to carry it away. He went to provide them, and meanwhile the wool was taken into Sir William's castle of Werke, the rude multitude being willing to hazard their lives to obey their master.' Luke Karklyn was Sir William Grey's servant who acted so regardless of life. He got it carried to the castle, whence it was afterwards secretly conveyed to Scotland, thence to be carried beyond the sea. In the same year (1623) the Guild received a letter from the Lord Chamberlain, prohibiting 'exportation of woolfells and yarnes to forren countreyes,' and warning those who traded in these wares. A deputation from the Berwick merchants was sent to London to try and get this prohibition removed, and 'they were to pay themselves by laying on a tax upon exported goods after liberty of transportation was obtained.' Clearly, if their suit was unsuccessful, the deputation had to pay their own expenses. Reasons were sent with this company, to present to the authorities in London, why they ought to agree to their request:

I. 'The said town is within the Kingdom of Scotland, yet it houldeth of the Kingdom of England, and governed by the laws thereof; and ever shall. It hath verie little or almost no commerce, trade, or markets but with Scotchmen, and they with them, our grounds adjoining together.'

The trade between England and Scotland, which had more than once been the subject of statute for the benefit of the Berwick burgesses, was threatened

* 'Correspondence of King James with Sir Robert Cecil.'—Camden Society.

† 'Secret Correspondence of James VI.'—Camden Society.

extinction by this Act, so we have them, like their ancestors of 1482, earnestly pleading their poverty and distress for its continuance.

II. 'The Butchers near adjoining in or there with other, frequenting our marketts for the daily provisions of "Mottens," &c. (if the law should pass without a proviso), should thereby come in danger, and cannot tell how to prevent it, unless they forbear to repair to those markets for the necessaries aforesaid, which will not only be our utter undoing, but the general hurtt of both sides, both buyer and seller.'

III. 'The wool fells of the South of Tyndale, Ridale, and betwixt the Tweed and, the Cokquett, as is mentioned in the proviso, is so small and meane, and the wool of them so coarse and full of white stickle hairs, as that they are not fitting for cloth and new manufacture, as some of this town, to their great loss, hath lately found, who, to mak tryll thereof, brought hither about 30 experienced Dutchmen with their families, intending to live there. But using all the art and meanes to bring to perfection what was desired, and could not, the undertakers being thereby indebted, was forced to discharge the workmen, and so gave over their new trade.'

IV. 'If these wool fells were sufficient to make cloth (as undoubtedly they are not), the town of Berwick and the places above mentioned are so remote and far from any clothing town or place for sale thereof (being 6 score or 100 miles at least, and that by land), as that the charge would farr exceed the profitt, nor doth any man come to seek or buy ought so farr off.'

V. 'Scotland doth dayly transport wool fells from every port of that kingdom; and, if the port of Berwick be deprived of the like liberty, these wool fells, of the growth aforesaid, shall be shipped whither they please, wherby not only the King doth lose his custom, but also the town doth lose as well the profytt, which thereof could arise as the auncienest privilege granted by divers Kings of this realme, and especially the Charter enlarged by our late Sovereign, King James of famous memory.'

And to these reasons were added special motives to procure his Majesty's commiseration of this poor town.

I. 'That the late garrison of this town, for a long time before his Majesty's most happy coming to this town, had their yearly pay of £15,000 out of the exchequer, which, together with the state and good hospitality of the Lord Governor, Marshall, Treasurer, and other officers, they were not only the very support and dignitie of that place, but a reliefe to all the parts adjoining, especially to the poore, these being in comparison of this time but few in number.'

II. 'That the Mayor for the tyme being, for the better government and civil state there, had about £50 a yeare allowed him and his officers.'

III. 'All which by the dissolution of the garrison is wholly taken away, there being not above £1,500 a year now coming to this place, part being paid to such soldyors as remaine not in towne, and the other part also diminishing by the death of the residue.'

IV. 'So as many poor widows, orphants, and families of the soldiers, nombers want not only their whole livelihood and means they had by their poor husbands, but the poor are destitute of the relief, who, by the necessary consequence of the pays failing and the poor increasing, are an insupportable burden to the poore place and all the country there about.'

V. 'And the Mayor, Bailiffs, and Burgesses, who, by neglect of all other traffic and trading both by sea and land, had wholly adapted themselves to the entertainment of the soldiers, are now willingly and charitably inclined, according to their small abilities, to yield their best talents to their exceeding great mysteries and wants which dayly more and more doe grow, but to their great grief they are no way able to supply.'

VI. 'And this poor distressed place (as in all due allegiance it might) was that *Port a Paris*

to his Majesty's first footstep into this English Kingdom, and is now most happily become the very heart of great Britain united, being an ancient, a famous and renowned place both in war and peace.'

Such reasons and motives laid before the Council had weight with it. We have good reason to know that their suit was successful, and that the transportation of wool and hides went on as before.

Sir William Bowyer was annoyed by some of the soldiers when the garrison was dissolved. It seems that there was a petition of 250 soldiers, late of the garrison, to the King against him, with a memorial of his crimes, corruption, cowardice, and profligacy committed during the late and the present reign. These were serious charges, and it is not till 1623 that we discover that the accusations were false. Captain Thomas Jackson, ringleader of the band, made confession to Secretary Conway in these words: 'Failed in my hope of seeing you in London. Acknowledges that his conduct upon the dissolving of the garrison of Berwick was more violent than became him, but prays not to be for ever cast out of the favour of his Majesty, whose supernatural and Christian virtues he acknowledges. Sends Conway two sermons: (1) "The Midland Soldier," by Samuel Briggs, and (2) "The Soldier's Honour," by Thomas Adams, and encloses this petition of Thomas Jackson to the King. Is a simple soldier unversed in State affairs, but thanks God for patience to bear his miseries, being calumniated to his Majesty, and banished his presence. Begs forgiveness of his former follies, his heart being ever free from a wish to lift himself up against his sovereign.' Jackson, likewise, wrote to Lord Chancellor Egerton: 'Lived retiredly at Cambridge till called to serve the State in training soldiers—a service now neglected and he in disgrace. Although the cause thereof—the union of the two kingdoms—is one which must rejoice all, yet he is ruined, not through ambition or crime, but in a good cause.' He was proclaiming the same fate for himself as befell Berwick—ruin through the union.

James VI. died in 1625, and was succeeded by his son Charles. During the first year of his reign the country remained at peace, but soon afterwards rumours of war spread abroad, and fears of an invasion, again, took possession of the people. This fear originated from a double source—viz., from the Dunkirkers, on the one hand, and from the Spaniards, on the other. Of the Dunkirkers we learn something in this petition (March 26th, 1627) 'of all mariners and poor seafaring men of the ports and sea-coast towns between London and Berwick,' to the King. It sets forth the many miseries which the petitioners groaned under for want of ships of war to guard the coasts. 'Many thousand persons, whose living depended on

the employment of the petitioners, were much discontented. None of the Dunkirkers but were furnished with divers Englishmen, and the towns and villages were much affrighted as they saw the Dunkirkers daily traversing the shores, which were quite at their mercy. They begged the King to take measures to curb the over-daring enemy.' Further, we learn from another petition of mariners on the sea-coast from London to Berwick: 'At Lynn there were about 1,000 men out of employment, whose 3,000 wives and children were in great misery. If they adventured to sea the Dunkirkers burnt or sank their ships. Fishing was put a stop to. The towns on the sea-coast were greatly frightened. At Ipswich, where twelve ships have been built yearly, shipbuilding was at a stand. Many of the petitioners had had their ships employed in the King's service for thirteen months past, and had not received any part of their pay.'

But the Spaniards were also a terror at this time. In a letter which William Muschamp wrote, August 20th, 1627, to Sir John Fenwick, he has notice from the Mayor of Berwick that the Spaniards have landed at Caithness, where they put all to the sword, and that many of their ships are on this coast, and have sunk many ships in their passage southward. It is reported they will put in at Berwick or Holy Island. The Mayor requested military assistance. Then the Berwick authorities return to the Dunkirkers. The Mayor, in a letter to Henry Lord Clifford on August 30th, sent 'tidings of a contest between certain English and Scotch convoy ships and fourteen Dunkirkers who were believed to be still on the coast.'*

But Clifford, enclosing this letter to Secretary Conway, adds 'that he cannot believe that fourteen ships intend to invade a whole kingdom. He sends indentures of soldiers levied in Northumberland, Westmoreland, and Cumberland. Those from Westmoreland not received. They come in with great difficulty. They refused press money, and began to ask *Quo Jure* they were to go. The Deputy-Lieutenant was forced to keep them all in prison.' Frightened in this double fashion, the Berwick authorities began to look out their armour, and found that they were able to provide sixty-eight men with muskets and rests. Thirty-five men possessed pieces of their own, fifty-five pikemen were provided with arms, and, in that way, they were prepared for the enemy. On 24th September, 1627, they made a long appeal to the loyalty of the inhabitants, and urged them to give a special gift to the town to help to repair the fortifications, and put some of the

* There seems to have been great difference of opinion as to the strength of the enemy. Thomas Watson, of Berwick, having been captured at sea by Dunkirkers and taken into that place, says that, besides various ships of the navy of Spain, there were about forty sail of freebooters.

remaining pieces of ordnance in order. This appeal resulted in a subscription of £26, paid with no little difficulty.

Next year, 1628, Sir William Bowyer died, and an inventory of all the armour in the town was made in the names of his lady, 'Ales Bowyer,' and his son George, 'which inventory was delivered to the maior and bailiffs, and signed and sealed by order of Guild, the true copy whereof followeth, viz.:

'Of Ordnance.

'I. On Megs Mount, one iron peece broken from the trunnions back.

'II. In the Middle Mount Stanker, one barrel and hooft peece of iron.

'III. In the two stankers at Search House Mount, one iron peece called a culvering, and one barred iron peece without a chamber.

'IV. In the Milne Mount Stanker, one playne iron peece, and one barred iron peece with hoops of iron.

'V. On Houndson's Mount, one demy cannon of iron, and one demy culvering of iron, and one murdering peece of iron.

'VI. On Conyers, one long brass haker, three shorter brass hakers, one brasse falcon, two brasse falconets, and two brasse robbenetts.

'VII. At the Marigate, one great murdering peece of iron.

'VIII. Upon the wall nere the Shore Gate, one iron peece barred and hooft with iron, without a chamber.

'IX. Of poulder in the storehouse there were 2,323 lbs., and one barrel of serpentine poulder, 125 lbs. without the cask.

'Armore in the Storehouse.

'In the great room above the stair, 278 backs, 135 pointed breasts and vambraces, 120 plaine ditto, four horse-faces, six gorgetts, and 500 murrions, one banner, two peeces of hare-cloath, all unserviceable.

'In the Low Great Room of the Storehouse.

'One brasse peece broken, one pair of way-scales with an iron beam, one barrel of saltpetre with some remains in firkins, one wooden girne, five willow planks, eight short willow peeces. Eighty unserviceable cickles. Eighteen hundred and sixty old and unserviceable arrows. 28½ cwt. of good Matrq (?),* and 5½ cwt. naughtie and condemned.

'In the Two Inner Rooms.

'Two long chests for muskets, seven iron-bound wheels, five unbound and broken, two whole cart-bodies, and two broken, with other peeces of broken timber.

'In the Cellar in the Maison Dieu.

'One small brasse peece, fifteen strakes for ordnance, two iron peeces without chambers, two hundred and ninety small shot, twenty-one old scythes, four old pickaxe-hands, four old barrels in peeces, all unserviceable, fifty-six old cart-nails, two old boxes, nine round peeces of iron, one old carriage for a brass peece, one old triangle, one pile of great iron shot, good, one drawboore for boring musketts, and one pile of great iron shot, unserviceable.

'In Ravensdale.

'Seventy-eight musketts with decayed stocks, forty-three muskett-rests, eighteen partisans, seventeen brown bills, seven chambers, twenty-seven old fellowes for wheels, three pair of old wheels

* Probably mattress, or martelas, for cross-bows.

and an odd one, two old bored naves for wheels and two unbored, fifteen peeces of rotten wooden trunks, three old rings for drawing ordnance, two pair of trams for carts, four short trams.'

While Bowyer lived he was Captain of the Town, and had charge of all the ordnance. He was succeeded by Sir Andrew Gray, with a salary of £366 13s. 4d., who was, again, raised to the dignity of 'Governor of Berwick,' with the care of all the goods contained in the above inventory. From it we learn that the only part of the walls, that was in a state of defence, was that part which looked towards the sea; the river-side and haven-mouth were almost totally undefended. When the King passed through Berwick a few years after this, we shall find the walls further dismantled.

Before we narrate this royal visit we have some details and difficulties in the Post-office to recount. In 1619, John Lathom was appointed assistant to Shaftoe in the Postmastership of Berwick. Shaftoe died in 1632, and the Earl of Stanhope, who had the patronage of the office, presented his servant Dallavell to the situation, ignorant of the fact, evidently, that his father, thirteen years previously, had given Lathom the warrant for it. Upon Stanhope's attention being drawn to this, he evaded the difficulty by obtaining the Crewkerne office for Lathom, his servant meanwhile retaining Berwick. Six years afterwards, Thomas Carr succeeded Dalavell, but with greatly diminished wages. Thomas Withering had been granted by the King the 'Letter-office of England and of Foreign Parts,' in which office it was part of his duty, and not that of the Exchequer, as formerly, to pay provincial postmasters. Carr's salary, under this arrangement, was at once reduced from 2s. 4d. a day to 1s. a day. Withering, likewise, employed a separate agent to carry the letters forward from Berwick to Edinburgh for 20s. per week. Carr wrote to headquarters asking for increase of pay to 1s. 8d. per day, and for the privilege of sending on the letters to Edinburgh as usual, and that he might be a sworn servant of the Crown, as others had been in his office. The official who had been appointed to carry the mail to Edinburgh from this town was not to be depended on, as we learn from a letter of Sir James Douglas, of Mordington, to Secretary Windebank: 'He who carries the running Post between Berwick and Edinburgh plays the rogue with all the letters that come from Edinburgh to me, so I have prohibited any to write to me that way.' Carr must have got satisfaction sufficient to enable him to carry on the work, as he remained a number of years in this responsible office.

In 1633, Charles I. paid a visit to Scotland, and arrived in Berwick on his way north on the 2nd of June. He remained there till the 12th of the same month, having with him a brilliant company. Laud was in his train, as well as

Secretary Coke, Thomas, Earl of Arundel, and the Earl of Surrey. Sir Harry Vane, who had been Comptroller in Berwick, went on with the King to Edinburgh. He wrote on the 10th: 'His present employment is now almost at an end, for within forty-eight hours he shall leave his (Comptroller's) staff in that town, and shall not resume it before the King's return.' Letters, dated from his Majesty's Palace in Berwick, had been despatched by the King from Berwick to London, which took four days to reach their destination. He had examined the state of the fortifications, and had ascertained the numbers and quality of the cannon on the walls. He had likewise become acquainted with some facts that the Guild authorities of Berwick would rather have concealed. He was welcomed to Berwick by a speech from Sir Thomas Widdrington, Recorder, who had succeeded James Smith in November, 1631, on the recommendation of Sir John Fenwick, who was knighted by the King during his stay in the town. The whole of the harangue would be tedious, but we give space to the paragraph which concludes the speech:

'We well know (as indeed who knoweth not) that Royal Blood running in your Majestie's veins to be extracted from the most renowned kings of both these kingdoms, and by those kings (most dread sovereign), especially by your Royal Father of ever-blessed and happy memory, hath this town, though in the skirts of either kingdom, been richly embroidered with many privileges, franchises, and immunities; and, therefore, we doubt not but your Majesty, in whom each man may behold the worth of all your ancestors, you being no less rightful Inheritor of their virtues than of their crowns, will gratiously maintain what they have most benignly granted. But few words are best to be used to kings, especially when they are spoken by an unskilful orator. We dare boldly say (most gracious and mighty King) that our hearts are better than our tongues, being most of all unhappy in this, that they are linked with so bad expressions. Your Majesty is now going to place a diadem upon your most sacred head, which God and your own right have long since given into your hands.' *

The King took his journey from Berwick upon the 12th day of June,

'attended with his retinue, the English nobilities and others, and was met at the Bound Road, near Barwicke, by most of the nobility of Scotland, and by the gentry, of the Sheriffdomes of Barwick and Tivedale and the three Lothians, and many more of the gentry of Scotland, in very noble equipage and well mounted, amongst whom were a troop of six hundred of Mers gentlemen related to or dependent upon the Earl of Home, in green satten doublets and white dimity scarves. That night he lay at Dunglas (an house belonging the Earls of Home), served by his own furniture and provisions in respect there was at that time none to represent the Earls of Home; there being pretentions for the said estate by different heirs.'

The King returned to Berwick on the 16th July, having left Edinburgh on the 14th; but there are no details concerning his doings on this occasion. Secretary Coke wrote a letter, dated from Berwick, to Lord Grey:

'Certifies that by his Majesty's command sixteen pieces of brass and iron ordnance were fetched to Berwick from the Castle of Werk, belonging to Lord Grey. The brass pieces are to be sent to London, and the iron to be kept at Berwick for defence of the place.' †

* Rushworth's Collections, 1633.

† 'State Papers,' Charles I., 1638, July 16th.

On the 17th, Coke wrote the Mayor of Berwick:

'The King, being informed that the officers of that town had in charge arms, ammunition whereof no account had been given, and that the Iron Gates of the Town, with a great Bell* belonging to the Bell Tower, had been sold without account, the Mayor is to search out particulars to prepare an account for the officers of the Tower. Ten pieces of brass ordnance remaining upon the walls of Berwick are also to be sent on to London, together with the ordnance from Norham and Wark.'

During the summer John Spencer had been employed by the King to search for pieces of ordnance throughout all Scotland. He discovered eighteen, besides those already in the King's hands from the southern forts. These were all, on the 23rd December, 1633, 'sent on to the Tower on Board the *Gift of God*, of Wells, county Norfolk—that ship being specially taken up for the service, and for bringing up the Salmon Fish provided for his Majesty's House.'

Before the King again visited Berwick we have a few events to note. The Mayor of Berwick wrote a very characteristic letter to Lord Lindsey in August, 1635, as to the fate of a derelict vessel:

'About the end of August a Flemish fisher bark of about thirty tons, without sail, mast, anchor, or float boat, or any living creature, being found at sea, was entered into by fishermen of Eyemouth in Scotland, who, being perceived by certain fishermen of Spittle, near Berwick, finding her in the English seas, they dispossessed the Scotchmen, and intended to have had her into Spittle. The Mayor of Berwick, to prevent the boat being cut to pieces by unruly people, brought her to the Quay at Berwick, where she lies, being claimed by Lord [Laird] Atkin, of Dunbar, one of the Deputy-Admirals of Scotland, for the Duke of Lennox, Lord Admiral there, who required to have her delivered to him. Requests his direction.'

Atkin threatens 'the English fishermen if he catches them on the Scottish Seas he will lay them where their heels shall rot unless they bring him the bark to Dunbar.'†

In the same year we have a very short account of our old town from the pen of Sir William Brereton, Bart.:

'June 25th, we arrived about 5 o'clock at Berwick. A stately Bridge over the Tweed, consisting of 15 arches, was built by King James VI., as it is said cost £17,000. This river is infinitely stored with salmon, one hundred or two hundred salmon at one draught. The Haven is a most narrow, shallow barred haven—the worst that I have seen. It is a very poor town; many indigent persons and beggars therein. Strongest Fortifications—double-walled and outworks of earth, the outer walls like unto Chester Walls. Without the inner walls a deep broad moat well watered; the inner walls of invincible strength; the stone wall, within and without, lined with earth about 20 yards thick, with bulwarks conveniently placed to guard one another.

'They were begun by Queen Mary and finished by Elizabeth. A stately, sumptuous, and well-slated House was here begun by the last Earl of Dunbar where the old castle stood, but his death put an end to that work.'‡

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* Sold, in 1619, to Burnt Island for £36 10s. at 12d. per lb.

† 'State Papers,' Charles I., 1635. ‡ 'Reprints Rare Tracts,' N. xiii., pp. 33-35.

We must condense as far as possible the story of local disturbances during the civil war. Charles I., by his determination to enforce Episcopacy upon Scotland, brought the nations, in 1639, to the verge of war, and, as usual in stormy times between the two countries, Berwick became the centre of action. In this contest the Border town prudently remained neutral, although its inclinations were undoubtedly towards the Covenanters. Sir James Douglas, of Mordington, was at first the King's agent in Berwick; but he was more inclined to advance his own interests than the stability of the King's Government. It was not until Sir Jacob Astley proceeded as a King's scribe to the north that we become acquainted with the real state of affairs. He was anxious to learn about the Scots, so he sent two spies across the Borders to report all their doings within the next thirty hours. He was then, on the 24th January, 1639, between Berwick and Holy Island. On the 25th, he went over to the island, and reported: 'Finds the place strong, and 12 men able to defend it. I have paid the Captain £30 to make a gate at the entrance to his fort and to buy cisterns to keep fresh water in, which is a great want the place has.' On the evening of the same day he reached Berwick, where he was well received by the Mayor and Aldermen, who promised fidelity to the King's service. 'Many of the common people came about me and thought that I came to put a garrison there, and seemed glad of it. From the espialls I sent, I find that the Covenanters intend to lay garrisons upon the Borders, as at Berwick, which Lord Hume shall command; and at Jeaderth (sic), where the Sheriff of Tevydale commands; and by Carlisle, which Lord Johnston shall command.' The Lords of Scotland heard of the English King's intention to garrison Berwick and other Border towns; and they eagerly met the exigency by ordering a levy of troops throughout Scotland, to be put under the command of General Leslie. Astley heard that the Scots were still determined to garrison the Borders and Berwick; likewise, that there were many Covenanters in Berwick; so he charged the Mayor and others with that fact. William Fenwick, Mayor, replied: 'There are no Covenanters here, for there are no Scots but one young man, whom we told you of, and two others, who are mostly in Scotland on business. We are arming,' he confessed, 'but with old armour lying in the town, for the purpose of simply defending ourselves. Both north and south, we hear of armies approaching; therefore we are intending to strengthen our position as well as we can.' Henry, Lord Clifford, higher in command than Astley, heard that a horse-race was to take place shortly in Berwick; he wrote straitly forbidding it, for he saw danger in it: 'It was made for the same pernicious end as you (Astley) conceived.' After Astley had been here for a while, he urged the

King to possess himself of Berwick before the Scots can possibly arrive, and accordingly my Lord of Essex was hurried forward with 600 soldiers to possess himself of that town.* On April the 2nd, Essex 'passed over Berwick Bridge and gained possession.' He purposed to leave in it 2,000 men with necessary provisions. Carlisle, likewise, was in the King's hands, so he thought all was safe. The Earl of Traquair, Treasurer of Scotland, arrived here after losing Edinburgh and Dalkeith, and was rather rudely received. The English were astonished at not finding in the town, nor even in the neighbourhood, any of the enemy they expected. 'We have met no enemies but what are constant to this place—snow, hail, and violent northern winds, which keep back the main part of our victuals and ammunition. We shall have some leisure to repair the ruins time hath wrought here. Lord Leslie has not got back to Edinburgh, since he received Aberdeen without a blow.' The King's party at Aberdeen left it to the number of 190, and now (April 16th) came to Holy Island, to be disposed of as his Majesty might direct. The Earl of Lindsey† was shortly expected with 2,000 men (whom he pressed in Lincolnshire) at Berwick, having been made Governor there. On the Royalists having heard that Leslie with his troops was within a few miles of Berwick with 1,500 foot and 600 horse, and that soon there would be 10,000 of them, Edward Norgate, who was in the town, wrote that the King said last night at supper that he was told that General Leslie should report that he would meet him upon the Borders, or rather near Berwick, with 30,000 men, and then he would parley with him. Norgate added: 'Most intolerable insolency of so worthless a vassal to such a sovereign!' The weather, as the month went on, moderated, and the Marquis of Hamilton, with a fleet of twenty-six or twenty-seven vessels, arrived off Berwick on the 28th of April, so that provisions were now secure. Lindsey did not reach the town till the 30th, and, on the 1st of May, he wrote to Secretary Windebank: 'I am now with my regiment in Berwick, and in possession of the government of the town.' But he complained that his orders were not understood by the Mayor and burgesses, and he hoped that the Secretary would send on his commission, so that his authority might be acknowledged. The town had enjoyed a long quiet and many immunities, and could not be brought readily to relish a garrison. The King now began to move slowly north from Newcastle. Norgate wrote: 'Morpeth is our first remove, then Alnwick and Belford, all poor

* 'I hard this day that my lord of Excexes was meete neare Bareke by the Treshwe of Scotland, whoo toold him that they had put many men into Bareke. My Lord of Execkes had 150 hundred men with him when he meet him, and vpon his words sent for 3,000 men, but when he cum to Bareke he found no such thing. It is confermed by Everyon that the Scots have gained all Scotland without shedding any blood.'—'Letters of Lady Brilliana Harley,' Camden Society.

† Son of Lord Willoughby, late Governor of Berwick.

contemptible villages. The fields bare and desolate, extremely cold and unhealthy, and if a disease begin in the army we will need no Covenanters.' The King arrived here at last on the 28th of May, lodged in the town that night till his tent was fixed, but slept in his pavilion afterwards. His tent and camp were set up at the Birks (or Birkhill, as it is called on the plan); that is, Yarrow Haugh, celebrated nowadays for more peaceful meetings.* The King's tent was at the extreme west end of this level ground, and the main camp was on the ridge of the hill behind. Norgate, very vivid in his descriptions, says: 'This night I took up my lodgings upon the rushes on a good hard floor. I cannot hope for straw; it is too precious; here is nothing cheap but fish. The King lodges in his pavilion, but the town is full of soldiers and troopes, who possess all houses, that the King's servants are nothings. There is scarcity of provisions in Berwick, soldiers snatching people's dinners from them.' The first operation of this army was an attempt to drive back the Scots, who had advanced as far as Kelso; but it was a total failure. Arundel advanced, on the other hand, to Dunse, read a proclamation, and retired. Leslie advanced afterwards from Dunglass to Dunse Law, and while his army lay there he commenced negotiations with the King, details of which are found in all histories. The result was the pacification of Berwick without any fighting or any further show of it.†

After these negotiations were finished, the King removed his camp to Berwick, where he remained for a month, and then departed for the south. While he remained in the town a council was held with the Covenanters, to which neither Argyle, nor Loudon the Chancellor, nor William Dick, the Provost of Edinburgh, would come for fear of treachery. The King commanded those who did appear, 'that without further dispute he expected they would slight and demolish the fortifications at Perth and elsewhere, that they would restore all his cannon and ammunition, dissolve the tables of conventicles, and repeal Leslie's commission of Generalship.' At length, on the 28th July, the King left Berwick, being afraid to

* *I.e.* Fish-kettles. This is the most frequented spot for these outdoor feasts during the summer, when salmon fresh from the river and cooked by the fishermen is the chief article of diet.

† The condition of the soldiers at the Birks was not one of comfort. They were left all night to lie on the bare ground, with such shelter from the wind as they could make by throwing up walls of turf, and laying branches of furze across them. Not a tree was to be found for many miles to offer timber for the construction of huts. The Tweed, where they were, was too salt to drink, and beer was sold at 3d. a quart—a price equivalent to a shilling now. The small-pox broke out amongst these ill-cared-for troops, and carried off its victims. The deserters were numerous. The chief employment of those who remained was the chase after the vermin by which their persons were infested, and which were known as Covenanters, in the rude language of the camp.—Gardiner's 'History of England,' vol. ix., p. 30.

go north at the request of the Scotch lords, 'for there was not quietness enough in Scotland.'

Sir Michael Ernle was left in command at Berwick during the ensuing winter, and he commenced at once to put the fortifications in better order and to establish a permanent garrison once more in the town. Before proceeding further we may ask what the following incident means? Sir James Douglas wrote to Secretary Windebank, one of the King's Secretaries of State,

'That, on the 22nd August, not quite a month after the King left Berwick, there was a most violent tempest of wind. At Berwick Bridge, the end next England, there is put up a very strong gate; at least there are three, which are shut every night. The Sentinel walking over the Bridge about one o'clock in the night, there came towards him, as he reports, a black cat, which he did push at with his pike, yet could not stay it, but it went to the gate, which, at that instant, was blown up, the hasp breaking that received the bolt of the lock. At 3 o'clock the Governor of Berwick went, and finding it so, examined the soldier, who was in great amazement, and upon the 25th the poor man died with fear. Some report that the fort next Scotland was blown up that same night, but no such certainty for it.'*

For some weeks after this there was a considerable sickness in the garrison, and about eighty soldiers died. But, on winter coming on, their health was re-established. The fortifications were proceeded with throughout this winter, and as long as the garrison was continued. The main additions were, 'a draw-bridge at the Cowport Gate, a new gate at the St. Mary Gate and at the New Gate.' A wall of considerable height was built round the top of the high bank of the river from the back of Tweed Street along Gillies Braes to the West Mount (Roaring Meg).† Charles I., after his return to England, acted foolishly towards the Scottish leaders. 'He found that the report which they had issued of his conversations with them at Berwick was circulating in England. He ordered that it should be burnt by the public hangman.'‡ This and other acts of the King's roused the Scottish nation to action. Leslie, during the summer, invaded England by way of Coldstream, routed the English forces at Neuburn and took Newcastle, stayed in England for a year till further negotiations were settled, when he returned to Scotland on the 25th September, 1641. By this act of pacification the garrisons of Carlisle and Berwick were to be reduced to their respective positions before the war began. Only for a short time did the latter town remain in this condition and go quietly on in its course. Next year the civil war broke out, which shortly afterwards affected Berwick and the North.

The first indication of new trouble coming to the town and its burgesses was

* 'State Papers,' Charles I., Aug. 22, 1639.

† This wall could only be *rebuilt* at this time, for it existed in the old fortifications.

‡ Gardiner's 'History of England,' vol. ix., p. 48.

a determination of the Guild to set a careful watch at the Bridge and at Marigate in October of this year. On November 2nd, 'dark rumours and fears' began to trouble them, so that they set a nightly watch, and 'every inhabitant able and well' was to attend the watch when summoned. William Wedo, a confessed Papist, was ordered out of town immediately. On November 7th, 'All burgesses and inhabitants able to carry arms shall appear in the best arms they have in the Store-house upon the 16th inst., by nine of the clock in the morning, before Mr. Maior and his Majesty's Justices of the Peace, to the end they may be put in the best position they can, for the defence of the town in case of any assault to be made upon them.' Next spring they acted with vigour. Sir George Muschamp received a commission from the Earl of Newcastle to raise a regiment of soldiers in the north for the King, and he sent to the Mayor of Berwick to know if he will allow him to beat a drum for recruits in Berwick. He had to ask for this permission, as Berwick was not named in his commission. The Mayor, in the name of the whole Guild, answered, 'That neither Sir George Muschamp, nor any other for him, shall have liberty for beating of a drum for raising of any soldiers in this burgh.' This was a heroic answer for the Mayor and his friends to give.

On the 9th March, 1643, it was reported that the officers and commander in the county of Northumberland had determined to plunder Berwick. The towns-people knew that there were many cavalier troops in the district, therefore 'all persons that have any towns muskitts, culvereens, or fowling-pieces of their own shall forthwith provide themselves with poulder, bullets, and other furniture,' so that they might be ready if occasion required: and all who had not pieces were to go to 'Mr. Maior' to be provided. On the 17th, the Mayor received a letter from those officers and commanders of the north, complaining seriously of them and of their town, 'that it is a common receptacle of all malignants who think thereby to escape justice, because Berwick is regarded as a place of privilege, exemcion, and imunity,' above the King's prerogative, and wishing the authorities not to persist in their mistakes, making one error good with another. They assert 'that the town is encouraged in its present course by the traitorous, rebellious, and seditious sermons that are preached either in church or in private conventicles with great applause and connivance.' They then appeal to them 'not to foment and give fire to this unnatural war that is kindled in the bowells of the kingdom, threatening the blotting out this famous monarchie in letters of blood.' They finish a long letter by a threat that if the Mayor and inhabitants do not their desires, they will be compelled to seek them another way.*

* This letter is dated Wooler, 16th March, 1643, and signed Gilbert Swinhoe, John Clavering, Thos. Graye, Chas. Brandling, Robert Clavering, and James Swinhoe.

The answer was sent next day from the town, and the gentlemen were to take notice 'that our care and diligence hath been such towards the furtherance of his Majesty's service that we always were, now are, and ever shall hereafter be, ready and willing to further the same,' 'and that they do not make the town a receptacle for any malignant soldiers, nor for any in his Majesty's pay,' and they finished their answer with the hope that they will continue their good opinion of them. On the 20th March, the High Sheriff of Northumberland, Gilbert Swinhoe, sent a message to the authorities for arms or muskets which they may have to spare. But Mr. R. Muschamp, the messenger, was told, 'that they have no arms in Berwick to spare, and no muskitts of his Majesty's; for the late garrison took everything with them, save a few muskitts of Queen Elizabeth's reign, which were only of use in a walled town, and twenty-seven bucketts which the guild ordered to be hung up in the Tolebooth in case of sodden fire.' Why this last sentence was added to such an order seems difficult to understand, unless it was intended as a kind of broad hint to these country gentlemen that the buckets might be used to cool their ardour if they approached nearer the town.

On the 3rd of April, the same gentlemen tried a more pacific plan of winning Berwick. 'They have no commission to spoyle, plunder, or beleaguer the town, but would be pleased if the place or chamber above the Bridge Gate and the Centry might be removed; and that they do not press for money from the town, but would gladly have a contribution from them, as good subjects.' The Guild, however, were firm, and returned a negative to all these demands.

The Mayor and his friends received aid at this juncture from the Earl of Warwick, who came with some vessels along the coast and left one of his fleet to help the burgesses to sustain any attack that might happen from these cavaliers in the north.

On the 5th of June, an attack was expected from divers troops of horse about Belford, and it was ordered by the Guild that the vault under the chamber in the wall should be built up with all conveniency, and that a general view of the walls be taken, and all repairs be immediately completed. 'Every burgess shall again come to the watch under a fine of 1s. every time he is neglectful, and that a general muster be taken next morning at six of the clock on the parade with all arms that can be had, that all may be in readiness if such occasion should arrive.' The gates of the town were ordered 'to be locked at nine o'clock at night, and opened at five in the morning.'

Another letter was sent to the 'Maior' on the 10th of June, asking for the old 'Muskitts' of Elizabeth's time, for a certain levy of soldiers from the town,

and for a money contribution. The Guild answered these questions in Scotch fashion. Provisions from the English side of the water had been hindered for some time from entering Berwick by the troops and 'Cavalleers' in his Majesty's service; so the Guild asked the Commander the reason 'why these provisions were hindered.' This letter was signed by the 'Maior' in the name of the whole Guild.

And now, when they were being squeezed rather tightly by these 'Cavalleers,' a new phase of the question turned up. The Guild determined to send to the 'Counsell of Scotland' to see what help can be had in that quarter; in short, they threw themselves unreservedly into the arms of the Scots. In July they thought they were safe; for a ship, the *Hopeful Look*, lay in the harbour prepared for action—ready to afford them arms and ammunition if they stood for defence of the King and Parliament. To carry out the Scotch negotiations successfully the 'Maior' and Mr. Crispe were sent on to Edinburgh to confer with the Council. Henry Darby was sent back to Berwick with them to propose certain articles of agreement. The Guild were anxious to know if the Scots were acting for the Parliament, how many men of a garrison were to be sent, how the garrison was to be paid, if their rights and liberties and 'Pollitique' government should be preserved. All which being answered to their utmost satisfaction, they agreed to come to terms; and a garrison was to be provided in good time, which, however, really came to mean that they were ungarrisoned for at least another year.

On the 9th of May, 1644, a great fear fell upon the Mayor, burgesses, and inhabitants of Berwick, for the Cavaliers of the North were attempting to join issue with Lord Montrose and others of the Scotch 'Banders,' and to march into some part of Scotland; 'so it is to be feared what danger may fall upon us.' 'All horsemen are to be in readiness for this present expedition, and those that have no horses to bear equal share with those that have.' 'And all the inhabitants of the town shall, at beat of drum, be ready with wheelbarrows, shovells, spades, or some other instruments for the building of a Breastwork at such places on the Walls as shall be thought convenient for our better safety.' The soldiers, with the Governor's consent, were to assist the town. Those that were backward at this work were to be treated as malignants and delinquents to the King and Parliament, and punished accordingly. Finally, it was determined to get sixty horses at £5 each, for the good of the town against the Cavaliers. This sudden fear passed quickly by: we hear no more of it.

The next item in the story is an inquiry made to the Governor of Berwick by Lord Callander,* if the Berwick authorities will make contribution for the garrison

* This letter is dated 'June 25th, 1644, att the Leaguer neer Cornhill.'

and assist the soldiers with quarters, or help in some equitable manner as seems to them best. The Mayor and Aldermen, considering the needs of the garrison, lent £100 on proper security for six months. They could not easily give more, since, only six months previous to this demand, they had already sent £215 as a contribution to the Parliamentary Forces in England to aid them in the struggle. They gave this sum on the plea 'that we have been free from all plundering taxes and assessments, and that we are still safe in our persons and estates, as few or no other towns and corporations in England were.'

The town continued to be garrisoned by the Scots during the time that their army was in England aiding the Parliamentary Forces against the Royalists. The Earl of Leven led the Scots' army into England for the second time on the 19th of January, 1644,* and continued about Newcastle and York till January 8th, 1647, when they finally left England. In 1646, Sir James Ramsay, Governor of Berwick, was made a freeman for his many favours shown to the town. Under this Governor a most remarkable project was contemplated, which will be explained in the following letter addressed to Widdrington, the Recorder:

'We are glad to hear of your safe return to London, and do perceive by letters (praised be God!) there is not the least scruple of a breach between the two Kingdoms. But that all things are concluded of, for our brethren the Scots, and their march out of England, which God grant speedily! For if they continue here this Winter they will not leave the houses on our heads unburnt. The last Winter they left not a doore or any tymber they could come to, but took them to their fyres. They kept fourteen guards, so they have fourteen fyres day and night. It is reported by a Scotsman† lately come from London, that it was absolutely resolved our old stone walls should be razed down to the very foundation, which would be sad newes to this place. But we have no confidence to believe any such thing, and trust the Parliament's care over us is such as we need not fear. Upon the last occasion of the King's force here, the workes they made was slighted to the content of the Scots. On the General viewing them, our walls and gates were approved to continue. In sleighting the fortifications of earth our water-course lyeing neere the walls stopt the passage, so as it was a great charge to us to recover them. But if the stone walls be demolished (which would be noe little charge to the State) would overthrow all, and where wee can scarce keepe our goods safe, much lesse if our walls be raced down.'

And then there follows a clinching reason why the walls should not be razed:

'This place was once the recepticle of all good‡ people, both from Newcastle and elsewhere. And when Montrose prevailed so farr with his army as on coming betwixt us and Edinburgh, wee

* The winter of 1643-44 was very severe. The Scottish army going southwards crossed over the Tweed when frozen. The heavy baggage was all taken over on the ice.

† Probably the Scot was hoaxing them, for we learn from no other source that such a project was ever contemplated.

‡ How they misuse the term 'good,' by which they mean people who went for the King and Parliament like themselves!

then received most all the nobilitie of Scotland and a great part of the Gentry of that Kingdom, where otherwise they knew not whether to flee for refuge, Newcastle being then in the Enemy's hands. So as of any forrein enemy or other happen in the like case, the place will be noe shelter if our walls be razed.'*

'A city of refuge' was its claim; 'a receptacle of malignants,' Swinhoe called it. The settlement of the country in the following winter—1646-47—proceeded on the grounds that neither Carlisle nor Berwick was to be garrisoned but by the consent of both kingdoms.† Early, however, in 1648 (April 28th) Sir Marmaduke Langdale, with 1,000 foot and 800 horse, took Berwick on behalf of the Cavaliers, garrisoned it for a few months, and billeted the soldiers free upon the inhabitants. Many of the people, 'since the surprisall of their place by the Cavaliers, who lay upon them by Free Billet, are driven to such extremities as many of them can scarce provide beds for themselves and families.'‡ The Governor during the Cavalier occupation was Colonel Charles Brandling. He, along with Langdale, Colonel Edward Grey, Colonel James Swinhoe, Colonel Raphe Hebburne, and Colonel William Strother, were on June 20th enfranchised into the Burgh. Very shortly afterwards the town was evacuated by these Cavaliers,§ and given up to the Scots, who took possession under Sir Arthur Haselrig as Governor. He must have remained for a very short time in this capacity, since, shortly after —viz., 15th September, 1648—when Cromwell appeared in the neighbourhood, Ludovic Lesly was Governor of the town.‖ It was this Governor who was dilatory in his answer to the demands of Cromwell for the delivery of Berwick into his hands. The Estates of Edinburgh were quite prepared to give this stronghold to the Lord General, but they had sent to consult the Earl of Lanark before it was formally surrendered. The Earl gave command for this to be done, and Berwick seemed joyfully to have returned to the authority of the English. Cromwell placed in it a regiment of foot, and soon afterwards added a regiment of horse. He commanded Sir A. Haselrig to provision the town with all necessaries both of food and ammunition. Sir Arthur had become Governor of Newcastle by this time, and could only act in Berwick by deputy. This furnishing of the town was very badly performed, whether from carelessness or inability it is impossible to determine. The soldiers were not paid, and their free billet upon the in-

* 'Letter Book' in the Berwick Archives.

† Carlyle's 'Cromwell,' vol. i., p. 329, Note 1.

‡ 'Letter Book,' Berwick Archives.

§ Benjamin Clarke, Royalist Mayor, was now removed, and Andrew Crispe was appointed in his place. 'Sir A. Haselrig hath already turned out the *malignant* Mayor, and put an *honest man* in his room.'—Carlyle's 'Cromwell,' vol. i., p. 408.

‖ Carlyle's 'Cromwell,' vol. i., p. 393.

habitants brought great misery upon them. Hear the Mayor and burgesses, 7th November, 1648:

'We have since the joining of this garrison maintained them at free quarters. Surely our poverty of late is much increased. Not many that knew the place would believe our estate were so distressed as it is, so as thereby not only many of the poor are enforced to pawn their clothes, but likewise many have already cast up house. Indeed, our condition is more lamentable than can be expressed. Nay, it can scarce be imagined the misery we are fallen into.'

This letter was addressed to Sir William Armyne; but similar letters were sent to both Members of Parliament, who all promised amendment. But not only were the people this winter burdened with the soldiers, but the excise duties were exacted with great rigour. This was something new, and the cry against this exaction was as vehement as against the other burden:

'The people here doe esteem the Excise what present is so rigorously exacted upon the impoverished inhabitants, to be a maine cause of the people's misery here. They, for the most part, have no other livelihood to maintaine themselves and their famillies, and be enabled for the better accommodation of the soldiers billetted upon them, butt the brewing of a bushel or boll of malt to sell again, and if they get the small drink for the famillies and the graines for their cattle free, they think they are well. We have no trading or imployment for labouring to gett meanes as in most other parts of the Kingdom. It hath been our hard hope to find the proverb made good, "After a desolution of a long continued garrison cometh a desolation."*

As spring and summer advanced, hope began to rise in their breasts that something substantial would result in their behalf. Colonel George Fenwick became their Governor and good friend in the autumn of 1649. They were then undoubtedly under powerful protection. Even in the spring of this year some aid was forthcoming. The sequestrations of all delinquents' fines, and compositions for new delinquents were being dispersed among friends, and Berwick got its share. The sum of £500 was promised as the fines of Sir James Ogle and Mr. Gilbert Swinhoe. Only £162 of this came to the hands of the Guild, since Swinhoe died before his composition was paid. The money received was almost wholly spent upon the bridge. But the warlike expectations and preparations of this summer led to great activity in the town. Ordnance of various kinds was sent to Berwick in May from Pontefract Castle, and, later on, from Wallingford Castle as well, which was delivered to Colonel George Fenwick. From the Tower were sent to Berwick twelve mounted brass guns for fortifying the town. Captain Dolphin, at the same time, was ordered to send on twenty good horses from Blackwall for friends in the north. On February 2nd, 1650, provisions were being hurried up in great quantities to the old town. Better still, Mr. Jackson, the

* Letter to Sir A. Haselrig, 14th February, 1649.

Collector of Customs, was told that henceforth the town of Berwick should hold and enjoy the privilege and Customs according to ancient usage, and Colonel Fenwick wrote to him in these words:

'If you knew the necessity of it as much as I do, you would not only allow what the House has done, but assist for its continuance. If the State does not keep the town as low (in Custom) as Scotland, the trade will wholly be lost, the town left desolate, and the Scots enriched by our ruin. The place is of great consequence. I entreat your allowance of the order of Parliament in the discharge of the new impositions, or else excuse me of being so fully assured of the intentions of the House. I prohibit the Customers from collecting any but the ancient Customs.'

The burgesses had, at last, found a friend indeed. The summer of 1650 grew to great activity as it passed into autumn, through the furnishing of Berwick with supplies for Cromwell's army, which was coming up against Scotland to fight the disastrous Battle of Dunbar. On the 20th June, 3,000 tents were sent to Berwick for the marching army; 3,000 quarters of wheat and 800 of oats were sent for provisions; 800 tons of shipping were registered to carry provisions. Again, on July 26th, 400,000 pounds of biscuits, 180 tons of cheese, 2,000 quarters of oats, above what had been already sent, were despatched here for the army. On August 6th, Sir A. Haselrig was ordered to try and keep the road open from Berwick to Edinburgh, for which purpose 2,500 men were sent on to aid him. The *Thomas*, *Patience*, and *Comfort* of Yarmouth, the *Wolf* and the *Prosperous* of London, were now being freighted with provisions. The officers of the Customs of the Ports were ordered to let all these vessels go free; and their masters were ordered to get away with the first fair wind, that no unnecessary delay may be made therein. The prices of some of the provisions which these vessels carried were as follows: 557 quarters of oats cost £458 7s. 10d., or 16s. 5d. per quarter; Cheshire cheese was valued at £33 per ton, and Suffolk at £28 per ton; butter at 21s. per firkin; hand-mills, of which twenty-five were bought, were worth £2 each; 1,495 kettles cost £389 4s., and weighed 5,838 pounds; 500 cloaks cost £1,122; shoes for the men were 2s. 6d. per pair; boots for the horsemen 14s. 6d.; tents were valued at about £1 each; Cromwell's, however, was a valuable pavilion worth £46 4s. These vessels were hurried away, yet they were late in arriving at Berwick, and they had to sail to Musselburgh to deliver their goods at that port. Their freightage from London to Berwick amounted to £424 7s. 11d., and demurrage was claimed to the extent of £84 10s. on account of being sent on to the Frith.

Cromwell's army moved northward, with the Lord General at its head, in the month of July, and on the 13th entered Berwick. The Mayor and Corporation received him graciously, July 12th, 1650. 'It is thought fitt and so hereby ordered

that all the Burgesses who have borne office shall be in their gownes, and all other the free burgesses to accompany Mr. Maior and the Justices to-morrow morning to attend the General at the first muskitt when he cometh in.'* Cromwell passed on through the town to Mordington, where his headquarters had been two years before. He seems to have regarded this house with special favour. The army lay there for two days waiting upon provisions being sent forward. It does not lie within our province to describe the Battle of Dunbar. Cromwell went to the north; the bustle and excitement of the summer soon passed, and the town again returned to its wonted quiet. One change must be noticed before we pass on. It will be remembered that after the Battle of Pinkie the sick and wounded were allowed to lie on the streets uncared for and unhoused; at this time 'the Gallery and Roomes in the Castle where Mr. Lovell now liveth are desired for the sick and wounded from the army.' Mr. Lovell, at once and willingly, complied with this request, and lived in the lowest room himself. A committee was likewise appointed to bring in a list of all the houses in the different quarters where accommodation can be had, and of all sick persons now in the same. We record this awakening of humanizing influences with great pleasure. Fifty years' peaceful intercourse between the peoples of the Borders was beginning to have a wonderful effect.

To return a moment upon our narrative, the soldiers were said in 1649 to be one of the causes of the town's poverty; possibly they were, but in a way quite different from what was meant. Whether the dunghills or 'middens' were offensive or not to the Roundheads does not appear, but they determined to make gain of them at the expense of the town. A huge dunghill had collected on the Parade and the soldiers offered to clear it off for £18; the Guild offered £12, and it was done. The Colonel offered to clear off another lying in the Newgate, but the Guild could not afford it. A third was again bargained for at £4, and cleared away from the Eastern Lane. The Roundheads were not fond of idleness; they would do even scavengers' work rather than nothing. The water-supply to the town was closely connected with its cleanliness; and here I may diverge a little to chronicle what is to be learnt about the early supply to the town. About 1570 we learn from the Town Records that Sir V. Brown, victualler, had laid a pipe from St. Cuthbert's Well in Tweedmouth, across the river, for supply of the lower part of the town, where the Government Offices chiefly were. Vernon, Brown's successor, removed these pipes, which rendered the town entirely dependent upon what came from the fields or from the wells in the town. It was thought at this early date (1580), that, with small labour, the water from the well-springs in the bounds

* 'Guild Book,' Berwick Archives.

or fields, issuing from the south side of Halidon Hill, and from the Nine Well Heads, might be drawn together for the service of the town. Before 1607 a cistern had been placed in the Calf Hill, for, in that year, the Earl of Dunbar obtained liberty to lay a pipe to that cistern to supply water to the site of the Castle. In 1617, the watercourse from Pittakote or Pethcar Lough (the town's present reservoir) came to this cistern on the Calf Hill, as well as the courses from 'Nyne well Heads.' The water from this cistern was conveyed, partly, along open ditches and, partly, through clay pipes to the various pants in the town. Some of the water had flowed through the stanks at the Greens, for, in 1626, 'great abuses are done by those who lay their lynt and hemp on the stanks, wells in the greens, and in other places, thereby filling the water full of worms and such like filthy beasts and corruptions.' From all or most of those places the water serving the whole town was taken and thereby made unfit for any man, without great danger and prejudice to the users thereof. In 1642, water was allowed to be taken from the town pipes, and carried into private houses on payment of 3s. 4d. per annum. The pants were badly kept and were very troublesome. In 1652, 'the well in Cross Gate was to be built up handsomely, with a trough, and made sweet and wholesome for the convenience of the neighbours and the danger of young children.' The allowance of the water had injured the watercourse, and 20s. of a fine was demanded in October, 1652, before any other person was allowed to have a private supply, and they must pay 2s. 6d. a year afterwards. The millers had been in the habit of drawing off water at the sluice at the Jingling gate,* and greatly 'damnifying' the watercourse. The sluice was to be absolutely removed and the offenders severely punished. On 15th October, 1651, the old clay pipes had been removed, and leaden pipes put in their places. These sources continued to supply the town until quite recent years, when an additional supply was obtained from a spring in Tweedmouth, forced into Berwick by pressure. The supply is now good and generally abundant.

To proceed to matters of more public importance, the Commonwealth succeeded to power shortly after Cromwell's last appearance in town, where this form of government was very popular. On 10th September, 1651, the Governor's House and other houses in the Palace were given to the Commonwealth of England, and they were permitted to do what they liked with them. The maces and towne seales were converted, and the Commonwealth and the town arms were set upon them. The present halberts date from 1685,† and it is just probable that the

* From various references this gate seems to have been placed opposite the gate into the cemetery.

† The illustration shows the Halberts and the Mace-bearers.

J. HERRIOTT, Photographer,] [BERWICK.

THE MACE SERGEANTS AND HALBERTS (1685).

Commonwealth arms had been permitted to remain till that time, when new insignia would be required. The Guild, likewise, granted the Governor and officers of the garrison a small piece of ground for a bowling-green, and, at the request of the Commonwealth Parliament, collections were made in the town and the churches for the Protestants of Savoy. What the town gave is not recorded, but £25 10s. 7d. was collected in the church and forwarded to London by John Sleigh.

Governor Fenwick had been their good friend for several years. He was elected Member of Parliament in 1654, but this Parliament was dissolved on 22nd January, 1656, and, on the 11th August following, he was elected a Member of Oliver's Packed Parliament. He did not leave town till 8th September, when the Chamberlain was ordered to take sugar and wine to his house, and the Guild would drink with him before he left. This was the final leave-taking. He died on the 15th March, 1657.*

In the same year the Corporation bought the Manor of Tweedmouth and Spital from Theophilus, Earl of Suffolk, for £570, which sum was paid out of the sequestered estates of Lord Mordington. The conveyance was completed and possession delivered on 28th September. The royalties consisted principally of a salmon fishing in the Tweed, called Bailiff's Bat, which was let for £58; a colliery of the annual value of £30, with the other mines and minerals and wreckage; an extensive tract of moor of about 100 acres (now enclosed and arable), upon which the freeholders and copyholders had right of pasture, and several small rents arising from the copyhold tenements. This manor, situated on a detached portion of the County Palatine of Durham, called Islandshire, and within the Manor of Norhamshire, belonged originally to the Bishop of Durham, but, during the reign of Elizabeth, it became the property of the Crown. James I. granted it all to the Earl of Dunbar, through whom it came to the Earl of Suffolk. As early as 1652 the Corporation made a proposal to the Earl to purchase the manor, their sole professed object being to rid the district of the numerous company of disorderly, uncivil, and lawless persons, principally Scotswomen of evil fame, who were harboured there. The purchase of this property was, undoubtedly, the best bargain the Corporation ever made.

On the 17th August, 1657, a proclamation was to be read that the Lord Protector Cromwell had become Chief Magistrate of the United Kingdom. When it

* The date on the tablet in the church is March 15th, 1656, which, of course, means 1657 in our present reckoning. Colonel George Fenwicke, of Brinkburn, was twelve years old in 1615, when he received a legacy of £100 from his uncle Gregory. He must therefore have been fifty-three years of age at his death.

was ordered that 'the Proclamation shall be made with all possible solemnity, that there shall be a sermon that day, and all the general Guild warned to attend Mr. Maior and the private Guild in their gownes. The Bells to ring, the town's colours to be sett on the Tolbooth Turrett. A great Bonfire shall be made in the Market-place. The Maior, Governor, and Burgesses to be served with all sorts of wine that can be had, after the Proclamation, at the town's charges: That the Town's drums and what other things the Maior and Bailiffs shall think fit to prepare against that time be made ready.'* Lord Howard (one of the Howards of Naworth Castle) was Governor, and was succeeded, in 1658, by Lieut.-Colonel Mayer, when news came to the town that Richard Cromwell had succeeded to the Protectorate on the death of his father. The Guild sent a letter of congratulation, which was presented by John Rushworth. On June 8th, 1659, a terrible fire wasted Berwick. The loss was estimated at £3,000, and a brief was granted to enable the burgesses to collect through the whole country for the sufferers. Richard's Protectorate did not last more than a year, when the Long Parliament was again summoned together, and then the rumour spread that Fleetwood was attempting to interfere with this Parliament, and General Monck from Scotland was throwing in his lot with the Parliament against Fleetwood. The burgesses could not understand their true position in the midst of these changes. But whatever might happen, they determined to arm themselves. A company of burgesses was formed and a company of volunteers, and the old armour of the Civil War period made ready for use; and so the town stood on the defensive. Nothing serious happened. In the end of the year Lady Monck came to town, and wine and sugar were once more at hand to smooth matters. General Monck lay at Millfield December 21st, 1659, and the Mayor sent his respects and congratulated him, and offered to do any requisite service in his power. The wheel of fortune turned very rapidly. In the course of three years they hailed Cromwell, they congratulated Richard, and thought they ought to rejoice over the recall of the Parliament, but were not quite sure. They received Monck with marked respect; and now, in 1660, they cried, 'All hail to Charles and the Restoration!'

'Whereas it hath pleased God in a most miraculous manner to restore our Royal Prince, King Charles II., to the exercise of his Royal power in these his three kingdoms, which, through the late great distractions and distempers that hath happened hath been denied him, and for that his happy arrival on English ground it hath been the great desire of this Guild to draw up a congratulatory address expressing their joy for his Majesty's happy return to and enjoyment of his just rights, crowns, and dignities.'

* Compare this account with what took place in the town on June 21st, 1887. The children have no place in the above.

The address was drawn up in London by the town's best friends, and presented. In Berwick bells were rung; and 'Bone Fyers' blazed in honour of this joyous event.

On May 29th, 1661, the town again manifested its joy at his Majesty's birthday and restoration. Bells were again rung. The Mayor and his friends again attended the church; a great bonfire was again lighted in the market-place, and other signs of joy were visible because his Majesty was 'wonderfully restored to his kingdom and people.' But the Guild were not altogether given over to monarchy and tyranny, as these rejoicings might make us fancy. Commissioners came from Parliament next year for the purpose of administering a new oath instead of the Solemn League and Covenant. Only fifteen of the whole Guild took the new oath. The rejoicings had been mere outward displays to lull suspicion.

Little of public interest took place for some years. The Plague in 1665 disturbed their equanimity. Ships had to lie for six weeks in the river if they came from suspected places. 'The Centenall at Bridgegate shall take care of travellers, and allow none to pass but those that have certificates of the safety of the place whence they come.' In 1666, Governor Lord Widdrington, who succeeded Mayer, obtained the two Gate Steads of the Castle to put up as an ornament to a house he was about to build on the bridge for the watch. The Guild granted these on condition that he would make a room large enough where the authorities could come and sit down when they were going to meet any great person coming to the town.

In 1670, Captain Applegarth, Collector of Customs at Berwick, was determined to collect a tax of 5s. per quarter upon Scotch corn, which tax had never previously been taken; it was hence the Guild's duty to resist it, but the best plan they could fall upon to rid themselves of the burden was to send ten gold 'Gennys' to Sir George Downing, of his Majesty's Treasury, when the order was reversed, and the town was cleared of this vexatious tax. This imposition was again tried a few years later, again to be successfully resisted. The trade in corn was very considerable at this time. In 1676 as many as 6,000 quarters of bigg, 4,000 quarters of oats, 300 of wheat, 200 of pease, 50 of rye were imported from Scotland;* 54,000 salmon were exported in the same year. Wood and fir deals were complained of as lying and encumbering the harbour.

* This trade continued till 1680, when an oath was imposed upon all who sold corn, and the farmers thought this so troublesome that they ceased to bring corn to this market.

CHAPTER XII.

ABOUT 1680 a very serious matter occurred—serious, at least, in its threatened consequences. Charles Jackson, son of Stephen Jackson, of London, desired to become a freeman. He was the youngest of four sons, of whom the eldest died without obtaining his freedom. The second, as heir, inherited, and was made free, but the Guild refused to receive his younger brother, as it was contrary to their practice. Jackson got a 'mandamus,' and sent it on to Berwick. Still the Guild would not yield. Then after two or three years' quarrelling, Daniel Collingwood and Jackson seem to have urged the King's Counsellors to demand the surrender of the charter of the town. After considerable opposition the Guild at last agreed to surrender it unconditionally, and appointed the Mayor, William Ogle, Esq., and Captain J. Wallace as a deputation to wait upon the King in London concerning it. They set out with the charter on Tuesday, January 6th, 1685, and on Sabbath, January 18th, they reached London. On the 23rd they waited on his Majesty.

An exact account of their reception is given by Samuel Wilson, who, having once been employed in the Town Clerk's office in Berwick, was then in London, and interviewed the Mayor upon the whole case. He wrote thus:

'On Friday, January 23, 1684, at eleven o'clock forenoon, Mr. Mayor and Mr. Wallace and Mr. Ogle went with the Charter to the King, being introduced by the Marquis of Halifax, and they kist the King's hand and laide their Charter att the King's feete with the Town's resignation thereof and a peticion for a new one, he smilingly said: "*Is the Charter of Berwick com'd?*" (The Duke of York being by a little before the delivery thereof, said: "Now will Mr. Mayor and these

gentlemen engage that the towne will be better people in time comeing," but he was no way answered to it.) It was committed to the Lord Middleton's care, who is one of the Secretaryes of State. There was present at the delivery Captain Ralph Widdrington and Captain Biggerstaffe, but they stood aside and were taken noe notice of. However, they two are the towne's irreconcileable enemies, and they endeavour to have the Charter so drawn that all the towne's grounds may be given to the garrison, and that all the burgesses be no burgesses, and only a certain number as they please to name to be incerted in the new Charter, and these only to be burgesses, and impose a parcel of justices of peace upon the town, etc. After delivery of the Charter, the Duke of Albemarle invited Mr. Mayor home to dinner, and he was very kinde to him and Mr. Wallace, etc., and sorry his occasions called him away from being with them att the delivery. Soe the town's friends are the Duke of Albemarle, Marquis Halifax, Earl Sunderland, Lord Dartmouth, Sir Philip Musgrove, Sir John Fenwick. The town's enemies, Captain Biggerstaffe, Captain Ralph Widdrington, Deputy Governor of Berwick, who instigate all they can against the town, and designe, if possible, to have Mr. Mayor turned out. This following is the copy of the town's petition with the Charters drawn by Sir Thomas Stringer :

'"To the King's Most Excellent Majesty—

'"The humble petition of the Mayor, Bailiffs and Burgesses of the Borough and Corporation of Berwick-upon-Tweed sheweth :

'"That your petitioners doe humbly and voluntarily surrender their Charter, with all their lands, debts, franchises, and liberties in your Majesty's hands, and humbly prayes your Majesty's acceptance thereof.

'"And humbly pray your Majesty to grant unto your petitioners a new Charter with all and singular their former powers and privileges, and with such other clauses and alterations, additions and restrictions as to your Majesty in your greate wisdom shall seeme fitt.

'"And your petitioners shall ever pray, etc."

'His Majesty recommended them to my Lord Chief Justice Jeffreys, to consult and frame the new Charter, and in order thereunto he designed on the 2nd day of February to waite upon the Lord Chief Justice, but that very morning about eight o'clock after His Majesty was dressed, he fell down in his chair dead in an apoplective fitt, and continued speechless for an houre and a half, to the great terror and consternation of all the cittie that heard it, soe that Mr. Mayor was prevented of meeting with the Lord Chief Justice that day. His Majesty continued sick till the Friday morning following, viz., the 6th of February, 168$\frac{4}{5}$, and about one o'clock that morning he departed this life ; and, betwixt the houres of foure and five in the afternoon that same day, his Royal Highness James Duke of York and Albany, the said King's only brother, was proclaimed King of England, etc. Soe this sudden change of affairs put a stop to the Mayor's proceedings about the Charter till the 19th day of February they petitioned King James for a new Charter.'

'The Petition was in these words :

'"To the King's Most Excellent Majesty—

'"The humble petition of the Mayor, Bailiffs and Burgesses of the Borough and Corporation of Berwick-upon-Tweed sheweth :

'"That your petitioners did humbly and voluntarily surrender their Charter with all their lands, debts, franchises and liberties into the hands of their late Gracious Soevereign Lord King Charles II., of Blessed Memory, which he was graciously pleased to accept of.

'"Now your petitioners are become your Majesty's humble suppliants, and humbly pray your

Majesty to grant unto them a new Charter with all and singular" (and soe verbatim as in Petition to King Charles II.).

'Upon which the King said to Mr. Mayor: "You shall have a new Charter, but you must bring in more honest men into the town," and thereupon signed a warrant to his Attorney-General to further them in their new Charter, and afterward proceeded to govern by commission in Berwick; and by the misrepresentation of Captain Ralph Widdrington and Captain Biggerstaffe, they rendering the inhabitants and officers of the town to be soe dangerous and fractious, the King forthwith caused Mr. Fenwick, Mayor, Thomas Watson, John Luck and George Watson, Aldermen of the town, and Mark Scott, Town-Clerk, Lyonall Davison, Hew Hewitson, Sergeants-at-Mace, and all the other town's officers, and Esquire Carr, the Recorder, etc., to be put out of their offices (only continuing Justice Catterall in his office), and in their steads on the 16 March, 168⅘, there was by the King's order proclaimed at Berwick Ferdinando Forster, Maior, Duke of Newcastle, Recorder, and they, by a mighty hand, proceeded to election of Parliamentary Burgesses for Berwick and least burgesses and others should oppose them in their choice, they at one time cited and excommunicated Seaven Score Burgesses and Inhabitants, and gott out excommunicated capiendo against most of them to deprive them of their vote and made twenty Burgesses that were for their purpose, but would admit of none (though it was their right) that might appear against them in their election. And soe they returned Widdrington and Biggerstaffe Parliament men though Captain Wallace and Esquire Ralph Grey, former Parliament men stood much up to the towne's representatives. Yett their interest was of noe force to gainstand such violent proceedings, but this of the Parliament is by way of digression. So I goe to name what other officers were proclaimed the sayd 16 of March, viz. James Crawforth, Robert Temple, Robert Rodham and James Douglas, Bayliffs, John Pratt, Alderman for the Year, and Coroner, Charles Jackson, Town-Clerk, Isaac Baseur, Deputy Recorder, Thomas Bowring, Ralph Ellis, James Luck and James Suddis, the four Sergeants-at-Mace. Nathaniel, Bishop of Durham, Ralph Widdrington, John Fenwick, Richard Loyd, Chancellor of Durham, Dronesy Granville, Dean of Durham, Isaac Brazier, D.D., Wm. Turner, D.D., John Harper, Vicar of Berwick, Wm. Strother of Fowberry, Wm. Ogle of Cawsey Park, Philip Biggerstaffe of Chirton, James Wallace, Esq., Thomas Forster of Cornhill, James Catterhill, Wm. Fenwick, Wm. Lawson, to be Justices of the Peace and also of the Common Council, and a number of others to be of the Common Council.'

This new ruling authority was very busy in Berwick, but they were greatly hampered through their having no charter, as they had no security upon which to raise money; so they wrote to Bickerstaffe, asking him to urge on his Majesty to grant the charter. On August 31st, 1686, Charles Jackson was ordered to bring it down from London. It cost £250 altogether, but money was so scant the Guild could only send up a bill for £50, and hope that it will be sent on. On November 4th, 1686, it is recorded: 'The New Charter shall be received with all the respect the town is able to show.' A new Mayor was chosen on receipt of the charter on December 12th, and after appointing the Common Council they voted that the new Mayor shall have £100 a year to maintain the dignity of his office. His salary had been rising of late. From £10 it was doubled, then doubled again, and £40 remained the salary till 1656. Ferdinando Forster, the Revolution Mayor, was not allowed to continue. Next year William Lawson was elected in his room,

and Forster and some companions were dismissed the Council for 'misbehaviour,' but of what kind is not recorded.

For two years this spurious Council governed the town; and governed it very badly: their main object was to turn out the ordinary freemen, and fill the Guild Roll with a host of names altogether foreign to the town. Three hundred and thirty-two of that class were now added. Soon, however, King James abdicated his position, even before the new charter had been entered as legally passed; so that it never came to be acted upon. The Royal proclamation, intimating to the Guild that William of Orange reigned, was read in town; the officers of the Council were dismissed; those who held office before the eventful 1685 were brought back, and Marke Scott, the previous Town Clerk, chronicled his own return to power on October 26th, 1688. The previous charter of James I. was restored into full force, when we may say that the reign of the malignants was finally over. An order was entered at this time in the Guild Books, which shows that a great load had been removed from the town's authorities. 'All the names of those made free since surrender of the charter are now to be deleted. All the old officers of the town are recalled.' The revolution was completed on December 16th, 1688, when Lieut.-Colonel Rupert Billingsley, Commander-in-Chief of the Forces in the garrison here, told the Mayor after morning sermon that he and the whole garrison were resolved to stand for the preservation of his Majesty's person, the Protestant religion, the laws of the kingdom and liberties of the subject, and a free Parliament; and he desired to know what course the Corporation would adopt. They, after consideration, said that they were determined to assist his Highness, the Prince of Orange, to carry on and perfect his glorious and heroic design of rescuing England, Scotland, and Ireland from slavery and popery, and of establishing the religion, homes, and equal liberties of these kingdoms upon a sure and lasting foundation in a free Parliament. When William and Mary were proclaimed on March 26th, 1689, similar rejoicings were again indulged in—hogsheads of wine, bells' ringing, bonfires, and 'other necessaries' for the 'solemnizing that day.' This reign passed over very quietly in Berwick, and we have the Guild, in 1702, sending a letter of condolence to Queen Anne on the decease of the illustrious monarch and of congratulation at the happy accession of her Majesty.

During the last sixty years the billeting of soldiers on the townspeople had become very burdensome. It seemed to grow more intolerable as time went on. Now (1704) the Guild began to think of barracks, and resolved to write their representatives to use their influence in this matter. What helped on the project was the demand of Colonel Maine, Governor, who, on May 2nd, 1706, wanted a

regiment lodged in town for twenty days; the public-houses were already full—some had six and others four persons—so that he requested that private houses be allowed. The case lay dormant till 1710, when John Sibbit, Town Clerk, stated the case fully to the M.P.'s:

'Sir, it would be endless for me, troublesome to you, to give an account of the miseries that many poor people have suffered here on this account. The town has often lost great sums by garrisons, and particularly by one regiment commanded by Sir Lieut. Walden in the reign of King Charles, upwards of £3,000, which reduced a great many families who were then in a flourishing condition to such penury and want as obliged them to beg their bread. And at this present many of our alekeepers are brought very low, and are daily laying aside that business from the hardship they suffer in quartering soldiers, for such as have not conveniency in their houses are obliged to pay 2s. or 2s. 6d. per week to get their quarters abroad without any allowance from the soldiers. Double inconveniency that the town suffers is this. The soldiers are dispersed in quarters in every corner of the town, by which they have opportunity in the night to rob alehouses and shops as they frequently do, which would be absolutely prevented were they in barracks every night.'

The town petitioned her Majesty on the same lines as the above letter, but it was not till 1715 that the prospect of success was bright. Mr. Pulteney, Secretary at War, became interested in the project, and, in 1717, the building was begun. Six hundred thousand bricks were made for the service of the barracks on the east side of 'Eytell Way' by John Tully, and stones for the building were obtained from the castle. The town was thus at length eased of an intolerable burden. When the soldiers were about to enter the barracks, which was not till 1721, the Board of Ordnance had no money to spend on utensils and furniture. The keepers of the alehouses and others on whom the soldiers might be quartered raised sufficient money for this purpose, and the soldiers actually marched in in the end of July, 1721.

This was the age of addresses to the throne. During Queen Anne's reign many were sent, especially upon the battles fought in the Marlborough campaigns. We can only find space for a paragraph of one, as a sample of the others. Sibbit, the Town Clerk, and John Scott, of the Grammar School, were the writers:

'We take this opportunity to declare our utmost abhorrence and detestation of all anti-revolutional, arbitrary, and enslaving principles, how cunningly soever disguised under plausible names and expressions, and to send our assurances to your Majesty that we will support, stand by, maintain, and defend your Majesty's person and government, the Protestant Succession as by law established, and the Act of Toleration against all the open and secret attacks not only of your Majesty's and their declared enemies, but also of all your Majesty's and their pretended friends, who mean no other thing than a Popish Prince and a French Government. May the bravery and conduct of the Generals your Majesty hath abroad, the faithfulness, sagacity and experience of the present Ministry, the loyalty, steadiness, and active courage of the Parliament we are blest with at home, soon put a period to the present tedious and expensive but necessary war, that as your Majesty hath with wonderful cheerfulness and resolution endured the fatigues of it, so you may solace yourself with the comfort and satisfaction of an honourable and safe peace until it shall be the pleasure of the

Sovereign disposer of all things to translate your Majesty into a State of eternally perfect tranquility after a reign of many, many years yet to come.'

George I. succeeded Anne, August 1st, 1714, and, on the 3rd September, the Guild congratulated the King on his ascension, and the magistrates made an entertainment and invited whom they pleased, and each member of the Guild received 2s. to drink his Majesty's health. The address was not sent on till October 8th, after the King had landed in this country, when it was given to the Duke of Roxburgh for presentation, and, on the 12th November, they thanked the Duke for so fully stating their loyalty to the King.

The rumours of the rising of 1715 reached the Corporation, and immediately an address, on August 15th, was sent to his sacred Majesty, in which they renewed their expressions of loyalty and attachment to the throne. Along with the commander of the garrison they began to put themselves in order, so as to prevent any surprise. Two men were appointed to watch each gate from the opening to the shutting, for which each man received 1s. per diem. Three inhabitants out of each quarter were summoned to appear every night at the Town Hall at six o'clock, there to remain all the night, provided with arms for their defence, and with lanthorns, coals, and candles. Then, on hearing of the rising in Northumberland, under Derwentwater and Forster, the Guild formed ten companies of volunteers of forty men each, the Mayor and Justices to be captains of the same; and ordered them at once to meet for discipline, that they might be in readiness for all contingencies.

On the forenoon of October 17th, the magistrates of the town and officers of the garrison, and Captain Philips, an engineer, placed here by the Government, deliberated and decided that the houses in Castlegate and the Greens be demolished and levelled with the ground. An estimate of the expense was made out, and signed by the commanding officer, Laton, and Captain Philips. Undoubtedly the necessity for this course arose from the fact that the Middle Mount was rendered of no avail if houses stood right in front of it, and then the houses gave shelter and hiding-places to an enemy. The estimate for the property ordered to be destroyed amounted to £815. That part of the town was not much built up. Eleven houses and gardens, stables and outhouses, were all that were utterly destroyed. Damages to neighbouring property were estimated at £26 10s. The whole autumn and winter, till December 16th, was spent in keeping strict watch; after this the watch was disallowed, save in the Town Hall, where State prisoners* were kept. The Rebellion and its dangers had entirely passed away before

* The State prisoners were: the two Erringtons, William Calbraith, Custom House officer, supposed to have countenanced the rebellion; Samuel Forster, a non-juror; Thomas Darling, in arms at

October 10th, 1716, for on that day all arms were again delivered to the store, and the ten companies dismissed. The money for the Castlegate property was not so soon paid. In November, 1716, the Guild petitioned the Prince of Wales for it without effect. In October, 1717, they knocked at the door of the House of Commons in vain. Early in 1720, they sent a deputation to London to sue for it; and on April 7th of that year, Barrington, their representative, informed them that the Castlegate money would soon be in their hands. On the same day a letter from Neville Grey intimated that if the money was not forthcoming very soon, his brother, Mr. H. Grey, and himself would pay it. The thanks of the Corporation were returned for their good intention. The money was forwarded very soon after this letter was received.

'The romantic story of the two Erringtons, and their bravery in taking the Castle of Holy Island, in 1715, for the Pretender, was first told by Grose, next by Hutchinson, and it has since been often repeated; but there is in reality very little of truth, and still less of bravery, in the tale. From depositions made before the Mayor of Berwick immediately afterwards, it was proved that the whole garrison, instead of consisting of twelve or fourteen men, consisted in reality of only seven; and that of the seven, two only were in the castle when it was seized; of the other five, two were at the time off duty, and in the town, and the other three were absent; but there is no proof that they were in a state of intoxication on board of the trader belonging to the Erringtons. The depositions of the parties implicated in the affair at once divested the story of all pretence to the marvellous, and prove it to have been, at best, but a paltry and even cowardly exploit.'* The story shortly is this: Lancelot Errington obtained admittance to the castle on the pretence of having his beard shaven. Samuel Phillipson, one of the men in the castle at that moment, acted as barber. After this office was accomplished, Lancelot went away, but returned shortly after, pretending to seek his watch-key. When he was a second time in presence of Phillipson, he drew out his pistol, and swore that the castle was his; calling his brother Mark to his assistance, he soon overpowered Phillipson, and thrust him out of the castle; the other, Francis Amos, was likewise thrust out. After which the Pretender's flag was hoisted, and the castle was theirs.

Next day, some soldiers from Berwick Garrison were sent to rescue the castle from the Erringtons' power. It took no great labour to do this, and to secure

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Morpeth; Walter Ashley, William Butler, James Pentland, John Farrar, George Brown, Mark Moody, all Papists; William Moor, forced away with the rebels, but had deserted.

* Raine's 'North Durham,' pp. 165, 166.

A TOWN WAIT.

the persons of the two Erringtons, who were brought to Berwick and lodged in gaol in the old Tolbooth. There they lay for some months, when they were assisted to escape out of prison by Thomas Hunter, joiner, Thomas Peach, mason, Thomas Bowring the younger, and one Young, a journeyman butcher, with Joseph Forster, burgess. It seems from depositions taken in Berwick from 15th to 21st March, 1716, that Thomas Bowring the elder was the prime mover in this escape. It was he that mentioned the matter first to Hunter, it was he that gave 10s. to Young to go to Edinburgh to secure a man who could undo irons and locks, whom Young said he knew. Young went to Edinburgh and obtained this man. Information is not given how all these assisted; but the Erringtons and two other criminals escaped about two in the morning by pulling up the flags under the doorway of the gaol, and evidently coming through below the door. They were let over the wall by a rope which had been taken by Hunter out of Mrs. Eleanor Ord's house without the knowledge of its owner. The Erringtons were never apprehended. They were seen about Budel, and it is supposed they escaped abroad for some time. One of them afterwards kept the Salutation Inn, at the head of the Flesh Market, Newcastle. It is said that he died of grief for the victory of Culloden.*

Hunter, Peach, Young, and Bowring were apprehended, and in December, 1716, were taken, at an expense of £40 19s., to Carlisle to be tried. Bowring alone seems to have been a freeman of the burgh, for, on 1st June, 1716, it is decreed by the Guild, in order that the Corporation 'might declare their just resentment of so wicked and villainous an enterprise, that a summons be left at his house requiring him to appear at next head Guild.' He did not appear, and there being no doubt of his guilt, he was disfranchised, stript of all the privileges of a burgess, and his name razed from the roll.

In 1729, they were beginning to find that the Main Guard in High Street was a nuisance, and this year they petitioned Parliament for its removal. Curiously enough, they, at the same time, determined to level Hide Hill, and lay a causeway in the middle of the street 'for easier passage.'

In 1731, the Guild quarrelled with the garrison; for the soldiers were not amenable to the town's authorities when they committed crime in the town, and the Guild thought this savoured too much of insubordination. The garrison showed its revenge on the Bounds' riding-day by giving orders that the waits†

* Raine's 'North Durham,' p. 167, note t.

† The waits continued long an institution in the town, the last dying within the memory of many now living. I am glad I can present an illustration of his appearance as he used to perform his rounds.

should not stand on the New Gate Head, where they had been acustomed to stand time out of mind, 'to play music to Mr. Mayor, Justices, Aldermen, and Bailiffs on their return from the riding of the Bounds; and that the guns on the ramparts should not fire a returning salute.' The difference was settled by the garrison giving way to the Guild on the point of dispute.

A bridge over the 'Whitteter' was erected for the first time in the year 1739. The proposal for the erection came from the gentlemen of the county, and the Guild readily agreed to the proposal, subscribed £50 to the fund, and allowed quarry leave on their grounds for this purpose.

The Forty-five Rebellion caused little stir in Berwick. There was a general uneasiness throughout the country, from the feeling that a French invasion was possible. The Guild sent an address to his Majesty after he had newly returned from his warlike expeditions in Europe:

'The guild congratulate your Majesty on your seasonable and happy return to your British dominions at a time when your inveterate enemies abroad and rebellious subjects at home have entered into a most detestable conspiracy to deprive your subjects of the best of Kings, of their religion and liberties, to introduce popery and slavery, to overturn our present happy constitution and destroy the balance of power in Europe.'

On the 17th of September, the burgesses determined to observe the same orders as in 1715, only more caution was taken. They wrote to Government for warrant to take up arms, and a warrant was issued from the Treasury to form companies and stand in arms for the safety of the kingdom. Watch was set at the gates, and four days after this was done the Battle of Prestonpans was fought, where Cope was completely defeated. He rode off the field to the south, got to Coldstream, then to Berwick, where at last he thought he was safe. A little excitement was caused in the town till it was known by which road the Pretender would enter England. When that by Carlisle was determined on, the burgesses of Berwick breathed freely, and, except an address to his Majesty on the 'glorious victory of Culloden Moor,' no further notice was taken of this rebellion. A Berwick burgess had been impressed into the service, but, on remonstrance with the authorities, he was liberated, for it was contrary to the terms of the charter to impress a freeman.

The next work that engaged the attention of the Guild was the building of a new town-hall. The site, where the hall stands, had been in possession of the burgesses since the time of Alexander III., when Simon Maunsel, a noted burgess of that period, bequeathed the ground. Here the Guild had held their meetings for nearly five hundred years—not in the same erection, for twice at least in those centuries had the Tolbooth been rebuilt; and now, for a third time, and with a new name, was the Guild to erect a place of meeting for their Council, and the

present Town Hall arose in all its stateliness of structure. The first mention of the project occurs in 1747—they began to consider ways and means; but in 1749 they proceeded to decided action, for the Tolbooth had fallen down, and the bell steeple was in great decay, and a strong gaol was likewise needed. Since there was no money to carry this scheme into execution, they laid a tax of 2s. per acre upon all meadows, and the town fields were divided into lots. A different manner of raising the money was speedily adopted. Two gentlemen in London offered £2,500 each for annuities of £200. With this money the debt was paid off, and a considerable sum was left to begin the proposed hall. In 1750 the contractors, Messrs. Pattison and Dods, made a start with the building, the architects of which were Messrs. Samuel and John Worrall, who had drawn the plans, two elevations and one section, of the new town-house and steeple, for which the Guild paid them £31 10s.

When the Guild had determined upon a new hall, they likewise decided on a new peal of bells and a new clock. The old bells were sent to London and recast at a cost of £353, which was paid by purchasing an annuity of £150, borrowing £100, and ordering Mr. Hall, the Treasurer, to pay £103 as the balance. On the tenor bell are cast these words: 'These eight bells were cast in the mayoralty of William Temple, Esq., 1754, Berwick-on-Tweed. Thomas Lister and Thos. Rach, of London, fecit 1754.' An entirely new clock was ordered at a cost of £90, and £10 extra for a man to fit it up. The big wheels are 18 inches in diameter, and others in proportion; the hands are 3 feet in length. It chimes the quarters upon three bells. The figures on the dials are cut in stone.

On the 28th of January, 1757, the committee reported that the new town-house was finished, and that Mr. Joseph Dods said that he had lost £135 9s. 1½d. by the contract. This amount was paid, as well as £160 of extras allowed him by the arbitrators. The Berwick arms were affixed to the front of the hall, which piece of carving out of Denwick stone* was done by Christopher Richardson, of Doncaster, for £42.†

The Town Hall is an imposing structure at the foot of the High Street. It is furnished with a steeple 150 feet high, in which are placed the bells and the clock. This is the only peal of bells in the town, and the structure is so much more ecclesiastical in appearance than the parish church that it has more than once been mistaken for it.

* From a quarry near Alnwick.

† No sooner was the new hall finished than the following complaint was made: 'The butchers are a careless company and very thoughtless; they are sharpening their knives on the Piazzas of the new Town Hall, and they are laying dung by its sides.'

The following extract from *Notes and Queries* is interesting in this connection: 'Can anyone favour me with a parallel or similar case, in respect to bells, to what I recently met with at Berwick-on-Tweed? The parish church is a mean structure in Cromwell's time, and is without either tower or bell; and the people are summoned to divine service from the belfry of the Town Hall, which has a very respectable steeple. Indeed, so much more ecclesiastical in appearance is the Town Hall than the church, that (as I was told) a regiment of soldiers, on the first Sunday after their arrival at Berwick, marched to the former building for divine service, although the church stood opposite the barrack-gate. My kind informant also told me that he found a strange clergyman (Rev. Charles Simeon) one Sunday morning trying the Hall door, and rating the absent sexton, having undertaken to preach a missionary sermon, and become involved in the same mistake as the soldiers.'

In the Town Hall the Council Chamber is placed, as well as a large hall where the County Court used to sit, and where the Quarter Sessions are held. The Police-office and a room where the Justices sit to dispose of trivial cases, which room is likewise used as a committee-room for the Council, are situated on the same floor. The second floor is fitted up with prison-cells, where prisoners are still kept overnight before they are either dismissed or remanded to a higher court. The ground-floor has always had piazzas for shops, and formerly it had cells for prisoners. The latter are now abolished, and the space is occupied by a good, strong safe for preserving the town's records. Under the east end of the Hall the weekly egg and butter market is held.

A greater variety of trade began to be carried on in Berwick, to which we will now refer. In October, 1751, Arthur Byram got a grant of land below the eight-gun battery, to begin a ship-building trade, and he was allowed to 'import coastwise oak-planks, oak-timber, blocks, sails, rigging, and other materials the town cannot supply for carrying on said business, at such easy rates as in other towns of England, and free of town's duties and water-bailiff's fees.' The work was carried on up to 1759 without interruption, when Byram was told that unless he employed freemen smiths he would be compelled to stop his work, and all his privileges would be taken from him. This difference was settled shortly afterwards, and Byram was allowed to go on unmolested in his operations. In 1789, the ground and the privileges granted to Byram were granted to Robert Gowan at an annual fee of 1d. In 1825 Arthur Byram Gowan was granted a lease for forty years of the same ground, on which he intended to erect a slip at an expense of £1,600. Ship-building beginning in 1751 immediately led to a ropery starting

in town. On February 28th, 1752, a ropemaker from Newcastle obtained a lease of a piece of ground for 5s. a year for this purpose. The ground is described as 'that which runs from the old Scotch Gate along by the Bell Tower, towards the Gate in the Back Greens that leads to the Maudlin Fields'—the same piece of ground that is now used for the ropery.

The Berwick Ropery Company was formed immediately to assist Loch of Newcastle to carry on his work. The original members of this Company were Fenwick Stow, William Stow Lundie, William Temple, William Jeffreys, William Hall, Thomas Rutherford, John Proctor, George Forster, and George Loch. The shares of these several holders were gradually sold at an average price of £16, until they were all in the hand (in 1794) of Richard Todd, Ferrow Marshall, and James Landels, of Berwick, coopers. In the same year John Robertson of Berwick and John Miller Dickson joined the company, and a lease for fifty-seven years was obtained in the name of the Berwick Ropery Company. John Miller Dickson Patterson became sole proprietor in later years.

Various other trades were started at this time, but none of these came to any perfection. In 1771, Mr. Johnston, a non-freeman, commenced selling cloth and stockings by retail in Berwick: the Guild, as usual, attempted to hinder him, but Johnston appealed to the Northumberland Assizes. A large committee was appointed to prosecute the case to a conclusion in the superior courts. In the Assize Court the case was decided in Johnston's favour, not on the ground of the charter, but because the Guild had allowed non-freemen in some instances to carry on trade without opposition. That this was true was proved before the Court by witnesses. An appeal was then carried to the Court of King's Bench, and there, after counsel had debated the question at length, it was decided entirely in favour of the defendant, and the whole costs came to be paid by the Corporation. After the case was so far settled the opinion of counsel was again taken, which was in favour of a new trial before a less prejudiced jury than the last; but a better course prevailing, the committee was dismissed, and the unfreeman element was now at full liberty to trade in Berwick-upon-Tweed.

About 1750 there began a great movement for the improvement of the roads throughout the country. The Guild subscribed £50 towards helping a Turnpike Act through Parliament, and thanks were sent to Lord Barrington for his indefatigable pains in procuring an Act for making a turnpike from Buckton Burn to Lammerton Hill, and several branches from that road. In October, 1754, Commissioners were appointed to make this road through Berwick. This Act did not include a road along the south of Halidon Hill. The fence on the south side

had existed for 'many years, if not beyond the memory of man;' but the north side had always been unenclosed till 1760, when the Guild ordered it to be ditched, dyked, and fenced, leaving the road sufficiently wide, as by law directed. This road now enclosed was left altogether unmade, so that, in 1762, the complaint could not be without foundation 'that for months past it was so bad that travellers cannot pass thereon without great danger, which has obliged them not only to pull down the new made fences, but also the ancient fence on the opposite side of the road, and the carriages flying from the bad road, have utterly destroyed the meadow ground that the ancient fences enclosed, to the great damage of the proprietors of the said meadow ground.'* It then became a question who was bound to make the road. The Guild consulted Mr. Yates, barrister-at-law, who clearly decided that the Corporation were liable. 'Since they had shut up the carts to a given tract, they were bound to make that tract passable for conveyances.'

In 1760 the Guild entered upon two great lawsuits. The first determined that Thomas Watson, the owner of the Magdalene Fields, and not the Corporation, had the right to win limestone on the sea-banks between high and low water mark. The second—a much more elaborate case—arose out of a quarrel in Guild, in which two burgesses, Henry Cowle and Andrew Mitchell, were indicted to appear in the Berwick Court. They refused, on the ground that a fair trial was not possible, and appealed to the Court of Queen's Bench. The Guild opposed this application on the ground that the King's Writ did not run in Berwick, and that they were not bound to answer any summons to appear in another court. After a long and elaborate argument Lord Mansfield showed that this contention of the Corporation could not be sustained, and concluded: 'Therefore we are all of opinion that these indictments may be tried in this court by a jury of the County of Northumberland.'

Having settled the disputed point, the case was afterwards tried at the Newcastle Assizes with this issue. The defendant Cowle appeared in court at the bar, and was by the judges severely reprimanded for his riotous behaviour in the Guild of Berwick, as set forth in his submission; and, in public court, confessed his crime, declared his sorrow, and asked pardon of Mr. Mayor and the magistrates for the same. His submission follows:

'Whereas at a Guild holden March 3, 1758, Henry Cowle, burgess and late bailiff, was guilty of a most notorious offence by assaulting Henry Hodgson, Esq., then Mayor, in the execution of his office, and also by assaulting James Todd, Town Clerk of Berwick, in the execution of his office, and endeavouring by violence to wrest from his hands an order of Guild he was reading by the said Mayor's directions, and afterwards in confederacy with one Andrew Mitchell of the said Burgh,

* 'Case Book,' lent by Mr. Willoby.

burgess, in which Mr. Mayor's White Rod, the insignia of his office, was broken, and many other insults offered his person by the instigation of the said H. Cowle and the said Andrew Mitchell . . . I do openly confess, with the greatest concern, that I am guilty of the offences aforesaid, and do submissively acknowledge the lenity of the prosecution and clemency of the magistrates, and do humbly implore pardon of them and of the Guild in general, and do submit myself to the costs of the prosecution, and do fully consent that this declaration be read in Guild and made public in what other way the magistrates may think fit.'*

During the latter part of the century there was constant uneasiness caused by fear of a French invasion. It manifested itself in Berwick only in giving large bounties to anyone who would voluntarily enlist in the regular army, until 1794, when, on permission being granted by the Government (conveyed to the Guild by a letter from the Right Hon. H. Dundas, Home Secretary) to raise two companies of Volunteers, the Guild immediately met and passed the following resolutions, which were all moved by the Mayor:

'1st (Seconded by Burnett Roger Grieve), that it was the indispensable duty of every loyal subject to step forward in defence of the present established Government in Church and State, of King, Lords, and Commons.

'2nd. (Seconded by W. Jeffreys, Esq.), that we shall, as a body corporate and individually, most cordially co-operate in raising the force offered and accepted by subscription, and by any other means in our power.

'3rd. That the Corporation subscribe £100 for this purpose, and the following be the committee. Mr. Mayor and Justices, Jeffreys, Burnett Roger Grieve, Waite, Thomas Todd, James Bell, Major Maclean, John Jeffreys, William Grieve, Burnett Grieve, Balderston, and Samuel Burn.

'4th. That thanks be given to the gentlemen who took the lead in the matter.

'5th. That the minutes be printed in the London, Edinburgh, and Newcastle papers.'

Thus Berwick was able to show its loyalty and to put itself in a position to defend its shores from the invader. They were very liberal at this period and onward, as long as the Guild had an existence. For the widows and children of those who had been killed in each of the glorious battles of the Nile, Camperdown, and Waterloo they subscribed £100, and gave £1,000 as a bounty to the State, to enable them to carry on the war vigorously.

In 1802, the Guild began to consider Queen Elizabeth's Pier, and, on June 25th, a committee was appointed to examine into its condition. The report

* Expression of submission in this manner in case of offence had long been a custom in Guild matters. Here is George Moore's penitent letter: 'I doe protest before you and this company that I am hartily sorrye from ye bottom of my hart that ever I did offend you, and especiallye in doing you so great wronge, which I must confess was a verie base and knavish part in me, and here I doe earnestly upon my knees begg pardon and favour att your hands to remitt and forgive me this vilde offence, and will never give you cause of distaste hereafter; and in witness of my repentance and your satisfaction I doe give you this staff out of my hand to beate me at your pleasure, and that this satisfaction is trully and really done I sett my name the 14th day of June, 1637. Signed in presence of William Orde, Nicholas Forster, and John Lawson.'

presented shows that that part of it from Crabwater Bat, or the angle above the gut down to the lowest beacon, was in a most ruinous state. The gut through the pier, which was made (and still remembered by many now alive) so small as only to admit a boat to pass into the Meadow Haven, was now a gap so large as to divert the currents of flood and ebb from their natural channel; the other part of the pier, from Crabwater to the land, was not so ruinous. Lord Lisburne's tenants were carrying off, to burn in their lime-kiln, the ridge of rocks which form a natural barrier against the influx of the sea.

From the report of this committee action was taken to go on with a new pier, the old being too much wasted to repair. An Act of Parliament was obtained in June, 1808, the main clause of which was: 'Power given to Commissioners to scower, cleanse, and deepen the Harbour, and to dig and remove fishings, bats, stands, rocks, stones, sands, etc. Also to build and make piers, jetties, buildings, quays, wharfs, docks, and other conveniences in or adjoining said Harbour, for preserving and improving the Navigation, and for the better accommodation of shipping and the trade of the port, and to make other roads, giving satisfaction done to property; also to erect a Lighthouse on the Pier.' In the Act there was a grant to the Commissioners of a duty on goods, a tonnage duty on ships, harbour dues and ballast dues. On obtaining the Act the Commissioners took steps at once to carry out its object. Preparations were made, and the foundation-stone laid on July 27th, 1810. The Commissioners of Greenwich Hospital allowed stones to be taken from a quarry on the sea-bank of Scremerston for building the pier, a trifle being paid for rent. The stones were brought by a railway for nearly two miles, through the village of Spital to a wharf on the river, and thence in barges down the river to the pier, which is on the north side of the entrance to the harbour.

The length of the arm of the pier from the Magdalen Field Bank to the turn at the river is 320 yards, from the turn at Crabwater to the end, 640 yards; total length, 960 yards. It was finished in 1821. The account for these twelve years' work stands thus:

INCOME.

	£	s.	d.
Shore dues, inward- - -	7,861	11	6¾
„ „ outward - -	10,410	14	4½
Tonnage - - - -	18,789	7	11½
Harbour dues - - -	891	16	8
Ballast, inwards - - -	2,128	15	3
„ outwards - - -	231	5	4
Interest - - - -	892	8	2
Balance - - - -	19,430	15	4
	£61,536	14	7½

EXPENDITURE.

	£	s.	d.
Pier and Quarry - - -	45,140	13	5
Sundries - - - -	15,764	15	11½
Act of Parliament - - -	631	5	3
	£61,536	14	7½

On February 17th, 1826, the foundation of a lighthouse at the east end of the pier was laid by Admiral Stow.

What is to be said of the trade of the town must be said in few words. From the last time that Berwick was Scotch, in 1482, we learn little of its export trade. We then saw that salmon was its chief export, and it remained so during all the vicissitudes of the town; but other branches of trade suffered through the intensely warlike condition of the neighbourhood till 1603, when the complaint was made that the garrison had so afforded a means of livelihood to the inhabitants that, on its dissolution, no trade was left whereby they might live. During the centuries that follow, the corn trade seems to have flourished most. At one time there was an immense exportation of eggs, especially during the wars in the end of the eighteenth and the beginning of this century—to France in particular. On the peace of 1815 being declared the egg trade ceased entirely. As much as £20,000 per annum was sometimes netted as the price of eggs exported from Berwick Harbour. They were carefully packed in boxes made for the purpose with the narrow end down, and sent on to London. The exportation of corn continued to be extensively carried on till the railway was started, when different channels for this trade were opened up. In the very end of last century about 27,000 quarters of corn were shipped in Berwick port. In 1820, about 62,000 quarters, and in 1833, 85,000 quarters, were exported. This continued to be the average amount till the carriage by rail superseded the coasting trade; and now the shipping trade of the port is almost entirely confined to importation of timber and raw material for manure.

A new dock has been made on the Tweedmouth side of the river, to which the North-Eastern Railway laid a line of rails; and the harbour has been greatly improved of late years; but trade does not flow to the old town, and at no period in its history have the signs of decay been more legibly written on it than in the year 1887.

NOTE CONCERNING THE MINT IN BERWICK.

Berwick being in early times a Scottish town, we may look for coins struck here by the early Kings of Scotland. The earliest known Berwick coins are those of David I. It is doubtful if any of Malcolm IV.'s reign are extant. Of William the Lion's reign coins are undoubtedly known. Two of his moneyers in Berwick were called William and Adam. Coins of the two Alexanders that follow were likewise made in Berwick. But Berwick specimens of all these coins are rare, and of considerable value. Their value at

the time of coinage was one penny. Of course they were all made of silver. On the reverse of David's coins are found the inscriptions: 'Eola on Ber,' 'Eola on Bervi,' '. . . on Berv,' '. . . alt on Ber,' and '. . . on Ber.'* And on the reverse of those of William the Lion's reign, there is the name of the minter and the town where minted, as 'William on Ber.' Alexander's Berwick penny has the legend, 'Iohan on Be.'† Of the other Scottish Kings—Alexander III., Baliol, Bruce, or David II.—no Berwick coins are known, for the place of mintage is in no case mentioned.

There seems no reason to doubt that the three Edwards, I., II., and III., coined at Berwick. In direct evidence of Edward I., Hawkins (first edit., p. 96) says, with reference to the coins of Edward I., *Villa Berevvici*, 'or with a bear's head in one quarter, instead of pellets,' 'or with a bear's head in two quarters.' 'This object on the reverse has always been called a boar's head, but it is intended for that of a bear, in reference to the armorial bearings and name of the place.' Chalmers says that Edward II. had a mint at Berwick, and adds that Radulphus Sutton was appointed Controller of the Customs and of the Mint at Berwick. Again (First Coll. ex Vesp., c. xvi., p. 20), Roger de Goswyk was Keeper of the King's Mint in the Town of Berwick-on-Tweed, and the issues this year, 1312, produced £19 18s. Edward III. minted at Berwick, for, in the Pipe Rolls 7 Edward III., the Treasurer is credited with receiving 13s. 4d., in 9 Edward III. £1, and in 10 Edward III. £1 2s. 3½d. profits of a certain mint in Berwick for making halfpennies and farthings at 4d. for every pound weight so made; and in 11 Edward III. the same Treasurer is credited with 3s. 1d. at 3d. in the pound, and no more this year, for the minter died on the 20th February. Snelling, in his 'Coinage,' says that both Edwards I. and II. coined at Berwick; and Ruding adds, 'that in the year 1296 Berwick was taken from the Scots by Edward I., who, at some period not now to be ascertained, placed a mint there, and struck money, specimens of which still remain. They have a boar's head on one quarter of the reverse. Edwards II. and III. likewise coined here. Edward III.'s coin bears legend "Edwardus D.G.R. Villa Bervici," and has boars' heads on two quarters of the reverse, instead of one, as in coins of Edwards I. and II.' This remark of Ruding's must be erroneous, for it is impossible to distinguish coins of the Edwards. The legend, according to other authorities, on the Edwardian coins is, 'Edwa. R. Angl. Dn. Hyb.,' and 'Vill | a Be | rev | vici | .'

The value and name of the Scottish and English coins remained the same till 1355; but, in this year, when David II.'s ransom came to be paid, Scotland was

* 'Short Border History,' by Groome, p. 193. † *Ibid.*, p. 195.

RRIOTT, Photographer,] [BE]

COINS OF BERWICK MINT WITH SEALS OF THE TOWN.

denuded of its coinage to such an extent as to compel the authorities to resort to the expedient of debasing what was left, and, after this date, the Scottish coins could no longer circulate promiscuously in the two countries. When Berwick was in the hands of James III. of Scotland, he seems to have coined to a considerable extent in the town. In some of his groats and half-groats, on the reverse he has a mallet in each quarter of the cross, and, in the inner circle, *Villa Berwici.* The legend on the obverse is 'Jacobus D. Gra. Rex. Scotor;' reverse, 'Dns. Ptector ms et Libator.'* The Act of Parliament 1 James IV. (A.D. 1488), c. ii., mentions groats struck by Gilbert Fish, commonly called 'Barwick groats.'

There have been many coins found along the Borders and in different parts of the country. A considerable number of Spanish coins were found in Spital in 1885. The largest hoard that has been found was discovered at Aberdeen in the summer of 1886. The following extract from the *Scotsman* will explain:

'On the 31st of May, 1886, some workmen, while making an excavation about four feet below the pavement of a lane called Ross's Court, in the Kirkgate of Aberdeen, unearthed the most extensive collection of ancient coins that has ever become available for scientific investigation in Scotland. The find was, as usual, taken possession of on behalf of the Crown as Treasure Trove, and forwarded to the Queen's Remembrancers, at whose request the late Mr. George Sim, F.S.A.S.Sc., kindly undertook the laborious task of minutely examining this very important hoard.' The published list shows 12,267 coins. 'They were found enclosed in a metal pot, which measures 11 inches in height and 32 inches in widest circumference. This is an ordinary three-legged cooking pot of the period, with two "lugs" by which the ancient Briton of the Bruce and Baliol days might hang his dinner over his fire, just as so many of us have seen the West Highlander do in his hut in these present years of advanced civilization. Unlike the Montraive hoard (the next largest found in Scotland), where there were groats and half-groats, as well as pennies or sterlings, this find consists entirely of sterlings, for the most part of the reigns of Edwards I., II., and III. of England.'

I should not have been justified in referring to this had it not been that a large number of these coins were minted in this town. The largest numbers were struck at London, Canterbury, and Durham; but 220 were coined at Berwick, all of the reigns of Edwards I., II., and III. Some Scottish coins were found, and a number of foreign coins of various nationalities. The hoard is being distributed to various public institutions; and, before this volume is in the hands of its readers, the Berwick Museum will most likely have received its due share of the native coins. A few of them are figured on the accompanying illustration.

* 'Short Border History,' Groome, p. 198.

The Guild History of Berwick.

THE GOVERNMENT OF THE TOWN BY THE GUILD.

UNDER this heading we must first inquire into the origin of the word Berwick, and then into the origin and history of the town and Guild. It is well known that various attempts, all unsuccessful, have been made to discover the origin of the word. In Holinshed's 'Scotland' there is the following legend: 'In the 9th century, during the reign of Kenneth, King of Scotland, the strongest castle in the whole country Kenneth bestowed upon that valiant captene named "Bar," whose counsel and forward service stood the Scots in no small stead in the English wars—that fortress ever after called by the name Dunbar, that is to say, the Castle of "Bar."' May not the 'bar' in Berwick and in Dunbar be one and the same word?

Another story runs thus: 'After this Armoger (54 A.D., ob.) reigned his son Westman and wele governed the lande, and in his tyme came Roderik, a Gascoigne, into this land, unto Stenmore. Thanne King Westman assembled a gret oyste and faught with Roderik and slough hym in Bataille, and than he gave theyme a forlete countre whos chiuetaine [chieftain] was called Beryng, and ther began a town called Berwyke, and edified and bilde all the cuntrye aboote and become ryche menne; bot their were no wommen among theym; and the Britains wolde not marie with theym because they were strangers, wharfor thei sent ovir the see into Irelande to the gentills to sende theym wommen both of gentilwomen and of commoners.'*

* Burrell MSS.

In support of this view: 'Berengus interfecto Roderigo domino suo obtinuit locum habitandi in Britannia a mari et postea ædificavit villam de Berwic.'*

The Rev. Joseph Stevenson, who is certainly an authority, says that Doddington may be the head of the family of Duddo, and gave it his name; and that his descendants founded Doddington. Berrington, again, is from 'Beor.' May not Berwick be the town of 'Beor'?

Chalmers, in his 'Caledonia,' asserts that North Berwick derived its name from the same source as Berwick-upon-Tweed, which, in all the early charters, is called South Berwick. It means the 'bare' or naked village or castle. North Berwick stands on the naked shore of the Forth, being a small narrow promontory projecting from the town into the Frith.

Again, the prefix 'Par' or 'Bar' in Celtic names generally denotes a Border tribe. Hence the name of the Parisii, who occupied the country adjoining the Senones. It was the most northerly part of the possessions of the Celts as distinguished from the Belgians. Hence probably the bar of the river, or the barrier of a town. Query, then, is Berwick equal to Bar vic, the Border town?

Berwick is the same as Beretum, Villa Frumentariæ or grange. It is not likely that Berwick was a villa Frumentariæ or grange when it must have received its name from the Saxon settlers at the mouth of the Tweed. It was much more probably named from the circumstances of its want of verdure, from the Anglo-Saxon bare, nudus, and wic, vicus.†

Others, again, incline to the very simplest interpretation, viz., that the 'Ber' is simply 'Bere' or Barley, and 'vic' a town; so that Berwick is the Beretown. Either it might mean that the lands around Berwick grow excellent barley, or that much of the grain was sold in Berwick, that there were large granaries in the town in ancient times.

We cannot omit the fact that the *bear* has long been connected with the arms of Berwick. A very early specimen is found on a seal attached to one of the Coldingham charters ‡ which is still in the Durham Register. It bears date about the year 1250 A.D. How the *bear* became attached might affect the etymology of the word. Between 'Bear' and the first syllable of Berwick there is a close resemblance. It is much more probable, however, that the *bear* on the Berwick arms was suggested by the name, than that the origin of the name had anything to do with bears. The second syllable may be from 'vyk' or 'vik,' a 'bay' in the Scandinavian tongue, or simply from the Latin vicus. Further than

* Ex libro Giraldi Cambrensis. Berengus, after he had killed his own Lord, Roderik, secured a place of habitation in Britain by the sea, and afterwards built the town of Berwick.

† II. 'Caledonia.'

‡ Raine's 'Appendix,' 654.

this, it can serve no good purpose to pursue the subject. The word seems to yield no indisputable etymology. Its spelling, also, varies immensely. Some of the more curious forms are given: Beruuic, Beruic, Beruwyk, Beruik, Berwyq, Barwhek, Berwugca, Berewyc, Berwicchii. The real name is Berwick-upon-Tweed, or Berewicum-super-Twedam. In passing from the origin of the name to the origin of the town we pass to equally difficult ground. There is no reason to believe that the beginning of Berwick differed much from that of other seaside towns. The following remarks of Cosmo Innes are peculiarly applicable to Berwick:

'I have alluded to some of the causes which determined the position of our Scotch burghs. The royal demesne and castle formed the nucleus of some, as of Ayr, etc. The cathedral or great abbey attracted others. . . . Some have an evident fitness as barriers against the wild mountaineers . . . But more of our ancient burghs owe their origin to the mouth of a river, indenting our rugged coast, and tempting some adventurous natures or some sea-rovers from Flanders to seek shelter there for their cobbles and busses, to carry on their fishing, and to establish their infant trade and even some rude manufacture. Such lovers of the sea needed little more. They had the shelter of the cove and the *bar* against storms, a sufficient stream to drive their corn-mill and their waulk-mill. They had in the constitution of their race the power of uniting and submitting to authority, and a coherence and vitality quite sufficient to meet on any common emergency. Such towns were, I suppose, as old as anything like society among us, and probably long before any of the ascertained facts of our history, when later some enlightened sovereign like David I. led these burghers forward, protecting their industry by his laws and a charter, and further by the natural defence of a little castle built at the head of the town, where a few of the King's "Milites," or a body of townsmen under the King's bailie, arming suddenly, could show face against any roving galley of "heathen Danes," or equally lawless robbers of our own hills seeking to reap where they had not sowed—the aboriginal village, proud of its new charter, passes for the creation of a sovereign who only gave legal form and sanction to its old customs.'*

All trace of the origin of Berwick is lost, but, in these lines of Innes, we have the most probable account of the formation of early Berwick; for until the time of David we learn nothing of it as a town. But, in the beginning of his reign, it had an existence—a corporate existence, too—from the fact of its actual position and influence. Its aldermen, as we have said in a previous page, were learned in all the usages of a burgh; and whence could this knowledge be derived, if it were not a burgh obeying a recognised code of laws? It became a Royal Burgh under David, and a member of the Court of the Four Burghs. It was evidently then a most important town, growing in activity and trade. 'It was thus the Anglo-Norman Burgh, with its feudal castle and civic population, distinct and separate from the garrison, which was the model of the burghs established and confirmed by David beyond the Tweed. It may be doubted whether any free communities engaged in commerce and occupying walled towns were in existence much before this reign, even in the Lothians; though the germs of such societies may have existed at

* Cosmo Innes's Introduction to first vol. of 'Ancient Laws and Customs of Burghs of Scotland.'

several places at that early date. Had there been burghs or walled towns in any part of Saxon Northumbria before the close of the eleventh century, the invading Scots would surely have been checked before they reached the gates of Durham.'*

We begin our history of the Guild from the reign of David, and at once pass to consider the laws that governed this early society. There were undoubtedly guilds in Berwick earlier than this reign, for guilds seem to have existed in towns from their earliest beginnings. The term 'guild' most probably means a feast. The craftsmen of each trade met occasionally over their feast of ale and bread to discuss matters of deep interest to themselves, and thus formed guilds, which were in their nature simply *trade* associations. These separate guilds could never, in their disunited form, govern the township. The community, therefore, chose the Borough Reeve, or Provost, who should preside at their common meetings where they deliberated on their welfare and their freedom. 'Each burgh seems to have been originally divided into four wards, similarly to a shire into four quarters. Over every ward was placed a Bailie,† a type of the rural Mair of the Quarter; the leading personage being the Burgh Reeve or Provost, chosen annually with the Bailies and Bedells of the community of the burghers, in the first burgh moot held after Michaelmas. Complete self-government, indeed, was conferred from the outset upon the Scottish burghers by a Sovereign desirous of attracting such a class to his kingdom. And the enlightened policy of David, together with the state of peace and prosperity which he secured for the whole of the north of England, as well as for the settled portion of his own kingdom, soon filled the walled towns, which rapidly sprang up on every side, with a crowd of willing settlers from South Britain and from Flanders, who were guaranteed the enjoyment of even more than the usual freedom and privileges under the royal protection. The original burghers as a class were, with few exceptions, of foreign extraction—emigrants from Southern Britain, and, not unfrequently, Flemings, as in Berwick, where the Flemings long dwelt apart as a separate Guild.'‡ Their common interests gave rise to unions of several burghs into a sort of parliament. Of this nature was the Hanse of Northern Burghs, to which David had granted his protection, confirmed by King William, and a yet more memorable combination in the South, consisting of the Four Burghs, Berwick, Roxburgh, Edinburgh, and Stirling. These were the Four Burghs from whose deliberations emanated the code of laws that still bears their name. Such was the origin of these laws, which, in due time, received the

* Robertson's 'Early Kings of Scotland,' vol. i., p. 297.

† Hence the *four* bailies that so long were officers in Berwick.

‡ Robertson's 'Early Kings of Scotland,' vol. i., p. 179.

sanction of the King's Court of Parliament, but which, even independent of that action, were received as authoritative by all the burghs of Scotland. We see here the real origin of our third estate, which had this defined organization and authority, and constituted that remarkable parliament of the *curia quattuor burgorum* centuries before the burghs, as one of those estates, sat and voted in the national Parliament.*

Berwick's interests internally were in the hands of the Bailies and the Provost, who guided the community prosperously onward. Appeals from their decisions went to this Court of the Four Burghs, which met once a year in Haddington, presided over by the Chamberlain of Scotland (hence called the 'Chamberlain Air'), and was competent to decide cases of appeal from all the burghs of Scotland. Representatives from the Four Burghs sat in the Court with the Chamberlain, to aid him in reviewing the decisions of individual burghs. 'What were the precise functions of this Court cannot now be fully ascertained; but it is obvious that the Court decided questions involving the usages of burghs and the rights and privileges of burgesses, and even regulated, in regard to such matters, the principle of movable succession.'† 'In that assembly, probably, were ordered and assessed the taxes which the burghs contributed to the necessities of the State. We know, indeed, that they joined in the aids of public contributions from a very early period.'‡

In the Chamberlain Air inquiries were, likewise, made whether the Bailies and other officers of the King in the several burghs performed their duties properly. For instance, in one Chamberlain Air which is extant, the date of which is uncertain, there are inquiries—

'If the Bailies do judgment and justice at all times, and equally to the puir and the ritch; if they tak gifts for doing justice to any or mak themselves parties in Court, or kepe the assize of brede, aill, and flesche; if they search thrice in the year for casting furth of lipper folk, and have caused wechtes and elnes to be duly examined. Inquiry is to be made if brewster wives sell aill conform to the price set upon it by the taisters, and if they selle before it has been prized by the tasters, and if they sell by potfuls and not by sealed measures.

'Again, if fleschers by ony vthyr than sound beastes or sell otherwise than publicly in the market, and keep the assise imposed on beef, mutton and pork. Also inquire if there be ony common sklanderers not punished, and if double wechtes be used, one for buying and one other for selling. If ony are using the burgh freedom who are not free, and who used the freedom and have not biggit land after a year. Inquiry is to be made of coukes makand reddie flesche or fish in pastry not fit for the use of man, or if, after they have kepit such the proper time, they heat it again and sell it to the manifest deception of the people.'

Another important and curious inquiry is set down in this long and inexhaustible list. It is 'anent some four score marks of Silver granted by our Lord the King

* Cosmo Innes's Introduction to first vol. of 'Burgh Laws and Customs.'

† Thomson in first vol. of 'Scots Acts of Parliament.' ‡ *Ibid.*

for the cleansing of the town of Berwick into whose hands they have come, and whether into the hands of private persons, and the town was not cleansed of that money.' Some malappropriation of money is evident here. Innes hints that if the date of this grant could be discovered, then the date of the whole 'Air' could be ascertained. This is impossible, as no data remain whereby anything of this grant can be learned at all.

In the proceedings of the 'Air' we have the manner given at length in which they 'chalance' the 'Ail Taistares':

'In the first they are nocht redie at the fourth puttyn of the Takyn for to tast ail. Secondly, they are nocht redy to tast ail as oft as the Brewster tunnis. The third, that they wannes [go] within the hous, whar thai sulde stand in the middis of the streyt befor the dur, and send an of thar falowis in with the bedal that sul chese of what pot he will tast, the whilk he sal present to his falowis, and thai sall discern thar apone, efter the assise to thaim put. The fourth, that they present nocht the defaultis before the Balzeis in the next Court followand. The fifth is that thai mak nocht the assise of ail, but sayis sympilly, "it is gud or it is ewill."'

This curious custom would not be unacceptable work for some even at the present day; but, for the sake of decency, it is to be hoped that the 'ail' was not strong, for, if there were many houses to visit in one day, the consequences with heady 'ail' may be imagined. Baxters, fleschers, and salmon-fishers were all under the control of this Court. Various other matters were settled in the same manner. Its whole powers may not be thoroughly known, but surely in these remarks enough has been said to give us an idea of a very busy Court, and one which, if well worked, performed an important and extensive duty.

There are two sets of laws published—the one relating to the internal regulations of the town or burgh, and called the 'Statutes of the Gild' (*Statutæ Gildæ*); the other referring more to the relationship between those who lived in the country and those who lived in the burgh. These were the laws of the Four Burghs referred to above. The original language of both is Latin. Both sets of laws have been published by different editors. The whole set of Guild Laws in Latin, and the first seventeen in Scotch, were printed in the first volume of the 'Acts of the Scottish Parliament.'* Cosmo Innes, in the first volume of the Burgh Record Society, published them again in the same form, and translated the remainder in Latin into modern English. Toulmin Smith, in 'English Gilds,' has printed only an inaccurate copy, taken from a work published at Rouen and edited by H. Houard, a learned French antiquary, and from a German work entitled 'Das Gildewesen im Mittelalter,' edited by Dr. Wilda. Thomson and Innes edited their copies from what is known as the 'Ayr MSS.,' which are now in the Advocates' Library,

* This volume was edited by Thomas Thomson, the learned Scotch antiquary.

Edinburgh. Through the carelessness of the custodiers, no Latin copy has been preserved in the Berwick archives. In 1568 evidently a copy was in existence; for, among the writings and charters mentioned that year in the 'Guild Book,' as handed over to the custody of Anthony Temple, Mayor, there is this interesting notice: 'One Book in Paper wryten in Lattin touchinge the statuts of the Towne of Barwick.' It seems to have been entirely overlooked by the authorities here that even an English copy still existed among the Records of the Guild. Toulmin Smith asked the question of a late town clerk, and his answer was, 'That no such laws were here, and never had been.' These laws were all the time in his keeping, in the English of the later part of the fifteenth or early part of the sixteenth century. I do not think the language is older, and the handwriting is certainly not older, than the reign of Henry VII. The copy is a specimen of very careful and very beautiful penmanship. These laws will be found complete in Appendix No. VII. Meanwhile we shall give an idea of their scope. They bear to have been enacted under the presidency of Robert Bernham, Mayor of Berwick-upon-Tweed, and Simon Maunsel and other good men of the burgh. Now Robert Bernham was Mayor in 1238 * and in 1249.† The general understanding by Thomson and Innes is that these laws were made about the latter year.‡ Probably *made* is not the proper term; *codified* seems the more correct. They were, at that time, brought into unity and harmonized for the good of the town. These laws greatly resemble, both in form and substance, the Laws of the Four Burghs. These latter were certainly older than this date; as old as the reign of David. Thomson says of them, 'They bear a great resemblance to the Laws of Newcastle made in the reign of Henry II., and probably in use as early as Henry I.' (1100–1135), that is, contemporary with David. The Latin in both those of the Four Burghs and those of Newcastle is identical, or nearly so. Here is the Latin of the first law of 'Leges Quattuor Burgorum,' followed by the Latin of the first of the Newcastle Laws:

'Quilibet Burgenses potest maniare foris habitentes infra forum suum et extra infra domum suam et extra sine licencia prepositis sine nisi commercia vel nundine teneantur in burgo et nisi fuerit in exercitu regis vel in custodia Castelli.'

'Burgenses possunt maniare foris habitantes infra suum forum et extra et infra suum domum et extra et infra suum Burgum et extra sine licentia prepositis nisi comitia teneantur in burgo et nisi in exercitu custodia Castelli.'

The resemblance here is more than accidental. It is well-known that David was frequently about Newcastle during his reign. His son Henry was Earl of

* 'Coldingham Charters.'

† First Law of the Marches in first vol. of the 'Acts of the Scottish Parliament.'

‡ Colston's 'Edinburgh Guildry' inaccurately has 1284, pp. 25, 30, and 37.

Northumberland; there is, therefore, no improbability in supposing these laws to have the same origin. Again, the customs leviable at the ports of Berwick and Newcastle were the same in nature, and in amount on any given article, which clearly shows the close connection between the two towns at that time.

To return to the laws of the Guild. There is no doubt but that the laws, codified in 1249, had been in existence since David's reign, and towns had been governed by methods indicated therein. The reason given by Bernham and his coadjutors for drawing up these laws is thus set forth: Up to this time a number of Guilds had existed with divers interests, and not always working harmoniously one with the other. Now the desire was to amalgamate all these Guilds into one, 'that from hensfurth that no man presume to procure any other gilde within our burgh, but all gang together with on assent and trew lowff.'* This desire seems to have become general at this epoch, and probably it shadows forth the growing influence of the merchant class. The Guilds were generally tending to become mere Merchant Guilds, and to a very great extent all tradesmen were debarred entrance thereinto. 'Also it is ordered that no bowcher by nother woll nor hyds whils he occupys that craft, or melles with the slaying of bees.' No butcher while he handles the axe can be a merchant or meddle with the staple trade of the town. These Guilds were very arbitrary and conservative in their action. No unfreeman could trade and no freeman was permitted to assist any unfreeman in his trade. Freemen, and these alone, were to have entire control over all commerce coming within reach of the burgh. Hence the Guild was very careful that everything traded in was good. 'Noe shomaker to tand eny hyds bot of whom the erys and hornes be bothe of on lenthe.' 'If it hapyn the byere of any merchandise se it gud above and wars vnder, the seller shall mend it after the seyght of the Feryngmen.' However, entire selfishness did not regulate all Guild concerns. There was a kinder, a more lovable side to it. In short, the Guild formed not only an exclusive trading society of merchants, but also a society for helping their poorer and more unfortunate brethren. 'If any of oure brether of oure gilde fawll in age or in poverte or in seknes, and not hawyinge whervpon he may leff, at the disposision of our alderman and other of oure brether he shalbe releffed with the goods of our gylde.' If anyone died poor and left wife or daughter, the wife was to be relieved, and provision to be made for the daughter, either to enable her to marry or to enter a religious house. The true bequeathing of property was also clearly laid down, as well as the amount of fine for admission to the freedom, which was asserted to be 40s., and in addition every freeman who had goods worth

* All extracts are taken from the Berwick copy.

£40 must possess a horse worth 40s. The trade regulations were strict, minute, and definite. No married woman could trade in wool. There must be no sale of goods but in the market-place and in market hours. Forestalling the market was a serious offence. No wool was to be taken from sheepskins from Whitsunday till Martinmas. Wool from the skins of recently-clipped sheep would be short and useless. Herring must be sold to a freeman at the same price as they were bought for in the boat. A favourite fine for breaking any trade regulation was a tun of wine forfeited to the Guild. The government of the town by these laws was vested in twenty-four feering-men, a maior, and four bailifs. 'The Maire and bailleffs be elect and chosyn be the consideracion and syght of the comonty; and if there be any contravers or debayt in the chesyn of them, then they shall be chosyn be the oth of the xxiiij ferynge-men.' The deliberations of this body were secret, and all were bound to secresy, under penalties of dismissal after the third offence, and he that was in this manner disfranchised was to be considered for ever 'a vntrewe man.' Attendance at meetings was compulsory, and he that came not at the ringing of the bell was fined 12d. There was to be no quarrelling among the representatives as they went to the Guild or during the meeting, or in returning home, under a penalty of 3s. 4d. If the quarrel resulted in striking with the fist, he that was proved to be in fault was fined 100 marks, and had, moreover, to amend to him that was struck what the feryngmen judged expedient. 'If any brother drawe blode of another with a clowbe or with any other wapyn, or maym hym of any membre, he shalbe condempened at the arbeterment of the aldermen.' These forfeits or fines were not to be lessened at any 'Mane's prayers.' So careful were they over their behaviour, and so little faith had they in the self-restraint of their neighbours, that, considering prevention better than cure, they forbade a knife to be carried into Guild, under a fine of 1s.

Thirty-eight of these regulations appear to have been made in 1248. The remaining eight have separate dates, and were drawn up from 1281 to 1294. The feryngmen for this purpose met in the church of St. Nicholas and in the hall of the Friars of the Holy Trinity;* although the Berfreyt is mentioned in the body of the code as the place for meeting. In the Ayr MSS. the separate enactments number fifty-one; but there is no important difference between the two sets. The Berwick Code is shorter, as if the language had been stripped of some of the redundancy of the early MSS.

The code of the Four Burghs is a much more extensive series of enactments. One hundred and nineteen are given in Innes's volume of the Burgh Record Society.

* Ravendale Chapel, near the Bridge; see *post*, under 'Ecclesiastical History.'

We cannot load our history with these laws; nor is there any necessity, for we have already referred to their close resemblance to English laws, amongst which most of them may be read.

Berwick continued to be governed on the basis of these laws till the charter of James in 1603, or, more correctly it might be said, till the passing of the Municipal Corporation Act in 1835. The Guild brethren were undoubtedly assisted to some extent by the laws of the Four Burghs, which, along with the Guild Laws, gave all necessary powers and furnished all necessary regulations. The laws of the Four Burghs are characterized as more complete and compact, and have in them more of the qualities of a body of statute law, than any other fragments of ancient legislation.

It is a problem yet unsolved whether any early charters were conferred upon the town. The presumption is that such was the case. None, however, have been found, and none are referred to save in the time of the Alexanders. The nature of a grant of Alexander III. is still extant. It is set forth in an inquisition in the time of Edward III., still preserved in the Tower of London. By this inquisition the jury returned, 'That in all past times the town of Berwick-upon-Tweed had been a free burgh, and had had a Mayor and Bailiffs and a Common Clerk, and that these officers were each entitled to a certain annual fee; that, when the revenues of the burgh were in the hands of Alexander III. of Scotland, these salaries were paid by his Chamberlain (an officer whose duties were then similar to those of the Treasurer of the Exchequer of England), until Alexander granted the town with all its revenues and issues, reserving an annual rent to the Crown payable at his exchequer at Berwick, to the Mayor and commonalty of that burgh, after which the salaries were paid out of this annual rent.'*

Considerable light is thrown upon the subject of the nature of the revenues of Berwick by records at a date subsequent to this, but no contemporary records of this period remain. It may safely be concluded that the King of Scotland was the lord of the soil and of the fisheries of the Tweed, and that he gave grants —some in fee subject to annual rents, called 'Burgh Mail,' a term of payment that remained in Berwick till quite a recent date; and some upon lease—that certain tolls and customs were also payable in respect to merchandise, and that the lands were subject to a Castle-guard rent for the maintenance of Berwick Castle. These revenues were chargeable with the expense of keeping the Castle in repair, with the salaries of the officers appointed to collect them, with the annual fees to

* The 'Weddell MSS.'

the Mayor, and Bailiff, and Town Clerk for executing certain duties within the burgh, the nature of which is not explained.

In 1296, Berwick was conquered by the English; but it is quite evident, from the after-history of its records, that even Edward I. did not change its government, but continued all its officers as in the time of Alexander III., viz., 'Chancellor, Chamberlain, Sheriff, Justiciar, Maior, and Bailiffs.'

The original charter of Edward I. is not to be found; but, in the confirmations by the other Kings, it is quoted at length; and from a translation in the 'Oath Book' in Berwick archives, the substance is given as follows. We omit the introductory matters:

'Know ye that for the betteringe of oure town of Barwick-upon-Tweed and the profitte and comodytie of our men of the same towne, we will and grant, for us and our heires, that our foresaid towne be from hensforth a free Burroughe, and the men of the same town free Burgesses; and that they have all liberties and free customes to a free Burroughe belonging for ever. And that they may have a Guild Hall or place of meeting, and a Brotherhoode or Guild of Merchants and other customes and liberties to that Guild belonginge, so that none of that Guild make any merchandize within that Burrough, but by the will of the burgesses of the same Borrough. Furthermore we grant to the same burgesses that they of themselves elect every yeare one Maior, a discreete and meete man who shall be faithfull to us and our heirs and serviceable in the government of the same Borough, so that when the Mayor is chosen he shalbe presented to us or our Chancellor, Treasurer, and Barrons of Exchequer of Scotland (yf we or our heirs be not then present), and to us shall swear fealty, and that it shall belong to the same burgesses that Maior in the end of the year to amove, and him or another to elect and present in manner aforesaid. And that the Maior and Comonaltie of the same Boroughe of themselves electe ffower Baliffs descreete and meete men which faithfully shall doe and execute those things which to their office dothe apperteyne within the Borough aforesaid and to us and to our heirs before the said Maior shall swear fealty. That the burgesses shall have power to bequeath their property in their last will and testament without any hindrance from us or our ministers. That they be impleaded only in their towne of Berwick before the Maior and Baliffs. That they haue the retorne of all wrytts whatsoever touching that Borough, and that no one interfere unless in defaulk of the Maior and Baliffs. That the burgesses elect a coroner who shall be presented to the Maior, to whom he shall swear to act in his office faithfully. Further we grant that a certain prison be maide and had within the said Borough to chastise malefactors there taken; and that a gallowse likewise be erected without the said Borough upon our owne grounde, so that the said Maior of infangthief and outfangthief may doe judgment. We grant likewise that the Burgesses have Theolonium,* Pontagium,† Passagium,‡ Muragium,§ Pavagium,‖ Canagium,¶ Lastagium,**

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* Such moneyes as is paid for things bought and sold.

† A discharge for any payment going over any bridge.

‡ Discharge for passing over a causey or other highway.

§ Discharge for payment of silver towards repairing the walls of a town.

‖ Discharge for yealdinge any payment for paving in any citie or town.

¶ Liberty to lay a conduit pipe through any man's ground and to open the earth to amend the same *toties quoties.*

** Discharge for payment for carriage of goods whether any man list.

Caragium,* Picagium†, Kieagium,‡ Vinagium,§ Achate and Rechate,‖ Socca¶ and Sacca,** Theam,†† Warde‡‡ and Warde Penny.§§ We grant acquittance of murder in the same burgh, and discharge of payment of fines for any one escaping who has committed murder within said burgh. That no man take lodging in the burgh by force, nor by livery of the Marshall. Also that no foreign merchant should buy or sell any goods which ought to be weighed or troned except by the King's beam and trone. Also that if any mannes bondsman shall be in the burgh, and shall be of the Guilde, and shall bear scot and lot by one year and a day without impeachment he shall not be further challenged of his Lord, but shall be henceforth a freeman of this burgh. That no one shall purge himself by cause of Battle but by the oath of four and twenty men, of the same burgh, that be lawfull. That all shall bear the sessment when found necessary. That no strange merchant shall sell any merchandise in the town but in grosse. Moreover, if any of the burgesses of the aforesaid burgh at their deaths shall leave any orphans born in lawful wedlock, the same orphans with their chattels, lands, tenements and possessions shall by the Mayor and Baliffs of the same burgh be placed in the custody of some trustworthy burgess of the same burgh, next of kin to the said orphans, to whom their inheritance cannot descend, who shall give sufficient security that he will keep and maintain the same orphans, their lands and tenements in due state, without waste, sale, or destruction, and that he will answer for and restore all the issues of such lands, tenements and houses, deducting reasonable expenses and costs to the said orphans when they shall attain their full age, by the view and consideration of the Mayor and Bailiffs of the said burgh, and that the Mayor and Bailiffs shall have power to ascertain yearly that the said wardship has been well and faithfully performed for the advantage of the aforesaid orphans. That, lastly, the aforesaid burgesses may have two markets in every week, on Monday and Friday, and one fair every year, to continue from the Invention of the Holy Cross to the ffeast of the nativity of St. John the Baptist. Signed at Westminster, 4th day of August, in 30th year of the reign of Edward I. (1302).'

After the example of Alexander III., Edward gave another charter on the 30th March, 1307:

'In which he granted and confirmed to the Mayor and burgesses and the *whole community* of his town of Berwick-upon-Tweed, the same toun with its mills and all its appurtenances, with its Tofts and Crofts and waste-places within the palisades‖ of the same toun, to have and to hold to the said Mayor and community and their heirs and assigns of the King and his heirs, with the mills and all other appurtenances, with his Tofts and Crofts and waste-places within the palisades of the same toun, and with tronage and pesage and with all liberties, customs, and fisheries, and all and singular other the appurtenances which to the aforesaid toun belonged in the time of Alexander III., late King of Scotland, for ever (except the Customs of wool, woolfells, and hydes and the other Customs lately granted to the Crown by the merchants, and also except fines, amerciaments adjudged before the

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* Discharge for serving the Prince with carriages, either by land or water.

† Freedom from payment for setting up boothes or of striking stakes into the ground.

‡ Freedom from payment for unloading goods on any kay adjoining the water.

§ Exoneration of imposts of buttleredge, and such like.

‖ Liberty to buy and sell merchandizes or necessary things thro all our lands and power.

¶ Suyte of men for the Courte according to custom.

** To hold plea and correction in the Courte.

†† To have bondsmen with their bound service with their goods and chattels.

‡‡ Discharge of Watch and Warde.

§§ Discharge of yealdinge any payment for watching the walls of a town.

‖‖ This confirms what I have said, that the walls were not built till Edward II.'s reign.

King's Governor and Chamberlain or his Justiciaries of the realm of Scotland redemptions, forfeitures, and other escheats belonging to the Crown within the same toun), paying therefor yearly to the King and his heirs at his Exchequer 500 merks yearly by equal quarterly payments for all services, exactions, customary payments, and demands whatsoever.'

After Bruce came into possession of Berwick, he granted a charter (which has been lost), in which he again demised the whole town in the same manner as Edward I. to the burgesses, except the two fisheries of Cable and New-Water. During all these years, when Berwick was sublet in this way to the burgesses, the revenues and expenses were only returnable to the Exchequer at Berwick; but all the rolls of the Berwick Exchequer have been lost. It is not till the year 1327 that the roll of accounts is found on the Roll Book of the Scottish Exchequer. From 1327 to 1333 they are still preserved complete. A year's accounts may be given at this stage to show what were the exact revenues and disbursements of this famous burgh:

The account of Sir Alexander de Seton, Collector of the Burgh of Berwick, rendered at Berwick, 16 March, 133$\frac{0}{1}$, of the rents (de firmis probably the Burgh Mail, Uddyngmal, Cannage, etc., of the English accountants) received at the terms of Whitsunday and Martinmas, 1328. He debits himself for the rent of the said Burgh for that year - - - - - £266 13 4
(This is evidently the rent at which Bruce demised the town to the burgesses.)

	£	s.	d.
Balance in preceding account - - - - - - - - -	28	3	4
Balance due for erecting engines at Norham - - - - -	9	9	6½
Paid John de Dunfermling, Clerk of the Liveries of the King's House -	2	6	8
To various individual grants by King's orders - - - - -	22	0	0
Paid to Nuns of S. Berwick in part of their annuity - - - -	16	0	0
Paid to Abbot of Kelso for his fee - - - - - - - -	16	0	0
Paid to Abbot of Newbottle for his fee - - - - - - -	6	13	4
Paid to Master of the Hospital of St. Mary Magdalene - - - -	1	5	0
Paid to Michael de Angus by the King's order - - - - -	13	6	8
Paid to Abbot of Melrose* - - - - - - - - -	100	0	0
Paid to Carmelite Friars of Berwick - - - - - - - -	8	0	0
Paid for making a boat for the ferry across the Tweed - - - -	12	14	0
Paid for building a mill at Edrington, by King's command - - -	20	1	0½
Allowed to the accountant for the passage of the English during the nuptials (the marriage of Bruce's son) - - - - - -	1	0	0
Allowed for the small custom of Peter the Engineer, Peter Bostall and John de la More, King's officers - - - - - - - -	15	11	1
	£272	10	9
Due by accountant for the Ward of Tranent Castle - - - -	4	0	0
			£268 10 9
Balance due to Seton - - - - - - - - - - -			£1 17 5

* In explanation of this payment see Appendix No. viii.

Then follows in continuation an account for the years 1329, 1330. It is only necessary to mention some of the fresh items:

	£	s.	d.
Allowed to accountants for the fishery of Edermouth, now in possession of Sir Robert de Lawder by right of inheritance	40	0	0
To Michael de Angus for the custody of Berwick Castle for one term	6	13	4
Divers spices and carriage of the same for the King's use	4	1	6
For great salt for salting 600 salmon, with portage of the same and other expenses connected with said salmon	2	17	1
For great salt for salting the King's deer caught at Selkirk	1	4	0
To Mayor and community of Berwick for two years' due	52	14	0
Allowed for small custom of 3 merchants	24	4	9

Then follows the account of the Collector of Customs, 11 March, 133½:

	£	s.	d.
Received since 22 June last for custom on wool, wool fells and hides	531	11	6½
Among the payments are:			
Paid to Robert de Lawder, balance of his fee of fifty marks	6	13	4
Paid to Robert de Lawder for his fee due at Martinmas	33	6	8
Thomas de Patinhame, Mason, for repairing the walls of Berwick Castle	5	0	0
Allowance for collecting said custom	13	5	9

The accountants debited themselves with £8 13s. 3d. for the custom of 4d. per £ imposed upon the goods of the English imported into this port.

We thus see that the Crown revenues, at this period, were the rent of the burgh, payable yearly; the new Custom on wool, wool-fells, and hides; a small tax on English imported goods; cannage, or harbour dues; small customs; the ferry across the Tweed; the royal fisheries in that river; the rent of some of the burgages in the town; and the fees and profits of the iters of the Chamberlain. The payments consisted of salaries of the Crown officers in the town, of which number at that time were the Mayor and bailiffs; pensions to the various religious houses in the burgh, as well as to the Abbots of Melrose, Newbattle, and Kelso; expenses for repairing the walls and fortifications and castle walls; and a number of incidental payments enumerated in the accounts.

On the conquest of Berwick, in 1333, the King appointed all his officials as they had held office previously in the town, and formed an Exchequer exactly on the model of his own at Westminster, where his accounts were rendered, but afterwards they were enrolled on the Pipe Rolls of the King. From these rolls we present an account to compare with the preceding Scottish one. John de Bourdon, Chamberlain, gave in his account from Michaelmas, 1333, to 24th June, 1334—three-quarters of a year:

RECEIPTS.

	£	s.	d.
Rents of divers tenements escheated to the King at surrender of the town	29	6	4
Similar rent due at Whitsunday	16	7	3
Custom on wines let to farm, and belonging the King	4	0	0

	£	s.	d.
Custody of gaol called the Berfret, and let to farm	4	0	0
Rents called Burgh Mail of 176 burgages at 3d. per burgage and half-yearly	4	10	8
Profits of the Court (the Iter)	3	11	8
Rent of custom called the Little Custom in the port of the Tweed	33	6	8
Rent of halfpenny toll collected at the market	10	0	0
Rent of ferry over the Tweed	12	0	0
Rent of moiety of fisheries on north side of Tweed called Edermouth, Totingford Folstreme, North Yarrow, Hundwatre Abstel, Law or Tyte belonging to Berwick and Broad belonging to vill of Paxton, all escheated to the Crown, and now let to Thomas de Bamburgh and the accountant at a yearly rent of 100 marks and not more, for the King had granted some of the fisheries to various parties	23	12	9
The rent of the mill at Edrington and of the mill near Berwick Castle	23	6	8
Rent of the custom of troning of wool and of custom of stallage	7	6	8
Rent of custom of measuring corn imported by sea and the rent paid by meters of corn in Tweed	1	8	4
Rent of a toll near Upsetlington	0	6	8
Rent of piscaries in Tweed, Crabwater and Holdman, ⅛ of Levidepool and ½ of Abstell and Shipwell, which belonged to Berwick Bridge	2	16	1½
Rent of certain burgages in barony of Lindsay, late belonging to Lawrence Abernethy, escheated to the Crown at the surrender	2	14	2
Rent of divers tenements in various streets, escheated as supra	32	0	0
Rent of wastes	4	2	6
Rent of tenements in East Upsetlington and of a fishery in Tweed forfeited by William Biset	7	6	8
Rents of two-thirds of vill of Paxton and the piscaries of Orret, Bulshot, and Stream in the said river, and of land in Simpring and elsewhere in county of Berwick, which had escheated	9	18	8¾
From the burgesses in aid of the wages of the watchman	6	13	4
Henry de Chesham, for a fine for holding a waste in Berwick	2	0	0
From the moneyers for licence to coin money in Berwick	0	13	4
For marble sold for a tombstone	2	0	0
For cannage of 1,035 sacks of wool, 48 last 10 dakres of hides exported	9	19	9¾
From collectors of customs in wools, wool fells and hydes in same part	401	15	0¼
Total income	£654	7	3¾

PAYMENTS.

	£	s.	d.
To the night watchman	54	3	10
For repairing the Castle and walls of the town	39	18	11
For other repairs to the Castle walls, and for repairing the house called the Tolbooth, in which the King's pleas are held, and the expense of erecting a cross called Holdman's Cross at entrance to harbour for safety of ships	4	5	5
To soldiers for guarding Castle of Berwick	1	8	0
To messengers carrying writs to the King	0	1	6
To the Prioress and Nuns of Berwick and of Halystane, the Abbot of Kelso* in part of			

* The Abbot of Melrose no longer receives his £100 under English Kings.

	£	s.	d.
annual pensions granted by Kings of Scotland and confirmed by Ed. III. and by part of mills of Berwick	28	0	5½
To John, son of John of London, for rent of a tenement in Uddingate escheated	1	13	4
To Thomas de Balmborough, Master of Hospital of St. Mary Magdalene, near Berwick, on account of an annual rent payable from time immemorial to that hospital	1	5	0
To the Prior of Durham, in part of rent of ⅓ of the vill of Paxton held by him by knight's service granted to John Mantelent during the minority of the heir, but which had escheated to the Crown by Mantelent's rebellion	3	6	8
To Patrick of Dunbar for timber for the Castle	10	0	0
To two messengers on King's service	26	0	0
To William de Bevercotes chancellor for fee of his office	20	0	0
To accountant by King's gift for valuation of lands assigned to King by E. Baliol	6	13	4
For the carrying of artillery for the siege of castle and town of Berwick	3	0	0
To Henry Batail, part of rent of Berfrey, which he and his ancestors had from Alexander III.	0	10	0
To Whitely and Beverley for fee-farm rents of tenements escheated by rebellion of owners	2	2	8
To Henry de Percy as Governor of Berwick on account of his annual fee	341	13	4
To the accountant for his fee and expenses	60	0	0
To William de Burneton, Mayor of Berwick, for his fee £10 and a gift from the King	33	6	8
Balance	11	3	1¾
Total outlay	£654	7	3¾

On comparing these accounts, one cannot but be struck with the small income, notwithstanding the additional revenue derived from escheats, etc., after the surrender of the town to the English. It shows very clearly that the ordinary revenues derivable under the Bruces and the Alexanders had been greatly damaged by the war. The income of the English Exchequer was still further reduced by grants of the escheats to the King's friends. Numbers of the tenements, waste, or uninhabited, yielded no rent because the Scots who had inhabited them were driven forth out of the town. Some of the Customs were reduced by orders of the King to induce merchants and others to inhabit it. The mills at Edrington were let at a diminished rent, for the inhabitants of Berwick were now allowed to grind their corn where they pleased. The ferry across the Tweed produced less, for it was so much occupied by the King and his army.

Edward III., on 4th of June, 1336, confirmed the Charter of Edward I., granted in the year 1302. The second which he granted, demising the town at a certain rental to the inhabitants, was not again confirmed by any future King.

Nothing is more certain than that the town of Berwick during these early times, and consequently during its future history, was governed according to the laws of Scotland. This is again and again shown by writs in the Scotch Rolls. A few instances in the reign of Edward III. will suffice for proof. In 1334,

when Antony de Lucy was Justiciary of the Town of Berwick, and of all the King's possessions in Scotland, he was directed to execute the duties of his office according to the law and custom of the kingdom of Scotland. In 1341, the burgesses in a petition to the Crown set forth that, when Berwick was last surrendered to England, the King granted to them that they should thenceforth enjoy and use all manner of liberties, customs, and laws which were in force in the time of Alexander III. The King admitted this to be true, and directed the collectors of the customs of the port to act in favour of the petitioners. In 1343, Edward III. informed the Governor of Berwick that, by an indenture made immediately prior to the surrender of the town between him and the burgesses of Berwick, and enrolled in his Chancery of England, they should henceforth be governed by the laws of Scotland. Lastly, in the case of the courts of appeal, it was established, 30th March, 1345, that, since Berwick can no longer form one of the Court of the Four Burghs, and appeals cannot be taken there and settled, the Governor and Mayor, calling to them twelve men of the same burgh, expert and learned in the law, should meet at a certain place appointed once a year, within fifteen days of Michaelmas, and terminate all such appeals according to the law and custom of these parts.* These orders are sufficient to prove this contention that Berwick was governed in these times by the laws of Scotland as laid down in the time of Alexander III. The great difficulty that lay before the Guild was that the collection of the revenues and customs of the town was in the hands of English Ministers who came to Berwick with the inborn idea that only English laws could be administered. The complaint of the burgesses was frequent, 'that these Ministers were using them according to English laws, and not according to the laws of the Indenture.' The inquiry was important and curious, why were the burgesses so very anxious to live under the Scotch laws? For during the reign of Edward III. the Scottish merchants

* The Scots were very slow to give up the hope of regaining Berwick to its old place in Scotland and to the Court of the Four Burghs. It was not till the 6th of March, 1368, in a Parliament held at Perth, that the following resolution was passed: 'It was ordanit and statut be the thrie estates convenit and electit that sa lang as the tounes of Berwick and Roxburgh sall be haldin be our enemies of Ingland (the whilk ar and ow to be twa of the 4 burghis whilk of old maid the Court of the Chamerlan once a yeir at Hadynton, on decisions given in ony of his courts of air and appealit), the burghs of Lanark and Lithgow sall be chosin in the premises, and henceforth are premonidit to compear at this court to be haldin as aforesaid and be as valid for common justice as if there were na let or hindrance throuch the twa foresaid touns beand haldin be oure enemies as aforesaid. Bot sa that when the twa burghis sall cum into the power and the party of our Lord the King thai sall incontinent and withoutyn objection joise thair auncient priviledgis.' The hope of return is not at all diminished even in this order, and, as we have seen in another part of this history, the idea haunted like a nightmare James III. and IV. of Scotland.

had been expelled the town, and English merchants were really the traders and yet the complainers. Although it is nowhere indicated what the Alexandrian laws were in detail, yet there must have been advantages and privileges in them that made them profitable. One of these was the less tax exigible from the export of wool in this port than that in any other English port. The King had, likewise, lessened the petty customs of the port to encourage tradesmen to come to the town.

On 28th March, 1356, the King granted a charter confirming his first and exemplifying it in some points, and again specifying explicitly—

'That the burgesses should be governed by the same laws and usages as their predecessors used in the reign of Alexander III. Further, that his customers, troners, and other officers should continually reside in Berwick; and that they and the burgesses should not be compelled to appear elsewhere than before the Chamberlain of Berwick, or the King's justices thereunto assigned within the said town, or to answer for any trespasses, debts, agreements, or any other contracts committed, made or entered into in the said town, for which they were bound to answer to the King.'

Next year, 1357, Edward granted another charter, conferring other rights upon his Berwick burgesses, who must have had superior privileges already. This charter was said to have been granted in consideration of the heavy losses they had sustained through the Scots the last time they had taken Berwick (1355), and because the King was desirous of contributing to their relief as an inducement for them to reside there.

He granted to all the burgesses resident, or who hereafter should reside, all their houses, rents, piscaries, possessions, as well without as within the town, so long as they should be resident. He also granted to the burgesses, their heirs and successors, that they admit as burgesses all those who were willing so to reside and desirous of becoming burgesses, and charge fines for such admissions, and appropriate these fines to their own proper use. He also granted to the said burgesses and their heirs and successors the custom called Cannage, and also the prison called the Berfrey, with all profits arising from the same custom and prison, but upon condition that out of the cannage tax they should keep the port in repair. He further granted to the aforesaid burgesses all the lands, tenements, and rents given by the burgesses in former times for founding and maintaining charities and eleemosynary establishments to be disposed of as they saw fit, so that they maintained these as far as the issues and tenements and rents would allow.

Also that the Mayor and Bailiffs should have cognizance of all trespasses committed, and should hear and determine complaints according to custom, except only trespasses committed by the soldiers in the garrison under the command of the Governor against their fellows. In case a soldier should offend against a civilian, or *vice versâ*, then the Mayor, Governor, and Bailiffs should meet together and hear and determine their cases. All malefactors apprehended in the same town for felonies or trespasses should be imprisoned in the said prison of the Berfrey and not elsewhere, and should be there detained according to the law and custom of the said town. It concludes thus: 'That there be granted a weekly market to be held near the town during the subsistence of any truce with Scotland to which the subjects of that kingdom were to be at liberty to resort, and a writ was directed to the wardens of the Easter Marches to grant letters of safe-conduct to Scotchmen frequenting the market for trading purposes.'

As we shall see, the burgesses were not slow to take advantage of several of the liberties and franchises granted in their charters. Especially did they, during their corporate existence as a guild, admit burgesses on payment of fines, or, as it is called, by redemption. Again, they were jealous to a very alarming degree of defending the closing of all causes of dispute, or of transgression, within the town, and of answering no writ whatever sent from Westminster on the plea of 'non currit.'

Richard II., on March 2nd, 1384-85, confirmed the former charter granted by his predecessors; and on March 20th, 1403-4, Henry IV., by letters patent, granted

'for the relief of his town of Berwick to the burgesses and community of the same town 20 acres of land lying upon the Snuke within the precincts of the burgh for an increase of their pasture, to hold to them and their successors for ever. And, moreover, he granted to the said burgesses and community that they should pay their Burgh mail for all these tenements and burgages as well inhabited as waste say 6d. and not more, and that they should not be compelled to pay more.'

This grant explains the constant reference to the Snook in after times. Henry V. granted a charter confirmatory of the preceding in all its liberties and privileges, and even mentioning that if any of these had not been in use, they were still to be acted upon at the judgment of the burgesses. Edward IV., and the other Kings down to Henry VIII., simply confirmed the charters of their predecessors, with the exception of that peculiar grant of Edward IV. already recited in the general history of the town,* and the particular grant of Henry VIII. given in Appendix No. IX.

We pass on now to the lengthened Scotch occupation from 1461 to 1482, when we learn much concerning trade, customs, revenues, and payments. For the year 1461-62, the whole customs derived from wool, woolfells, hides, and salt salmon only amounted to £21 9s. 11½d., which included £9 15s. 2d. collected from minute customs not severally named.† As the years of Northern occupation progressed, the wool and hide trade seems to have ceased altogether, while the salmon exportation continued to increase. From one last one barrel the first year, it mounted up to eighty lasts eleven barrels in 1479. Seventy-seven lasts were exported in 1480, and an equal number in 1481. At first the custom payable was 5s. per barrel, but it fell in three years to 3s. In 1479 the amount raised from salmon alone amounted to £152 17s., fully seven times the amount of the customs of the earlier years. The King's fish for one season amounted to fifty-four barrels, which were sold for £2 5s. 6d. per barrel. The size of the barrel for salmon was carefully regulated, measuring fourteen gallons, by Act of Parliament,

* See page 101.

† The 'Parva Custuma' of the English Chamberlains. In other words, what were afterwards understood as 'Tolls.'

which in quaint words thus set forth its requirements: 'The mesure of ye barell, quhilk is callit of ald ye hamburgh barell, be of ye mesure of xiiij gallonis, And that twa girthis be maid of irne, ane for ye midds and ane for ilkane of the endis. And quhar eiver it beis fundin that ony Salmond barels be maid within the said mesure, that they be our soveraine lordis eschete.'*

Other fish than salmon were dealt in. A large number of dried mulones (aridorum mulonum—codlings?) were exported. In 1468, as many as 6,400 were exported, at the rate of 2s. per 100 for custom. In 1471, fifteen barrels of salt herrings were exported, at a tax of 6d. per barrel. The imports consisted of wine in small quantities, coarse salt, and considerable bulk of malt. Occasionally fine flour was imported and sent on to Scotland. Other sources of revenue existed from which the Collectors of Customs filled their treasury. £50 of fines, at one Iter Justiciary, were delivered to them, along with £26 13s. 4d. from the sale of certain oxen, cows, and sheep declared to be escheat by the Court. And, again, £3, on another iter, for the sale of cows by escheat of William Wanelo, of Berwick. £58 12s. 9d. was realized for the Burghal Ferm, £38 of which was only paid after commissioners had settled some disputes over property in the town claimed by certain ecclesiastical persons as property of religious houses which were free of said Burghal Ferm, or Burgh Mail. The Snook which Henry IV. granted to the burgesses was now resumed into royal hands, and £10 of rent derived from it. During the last two years of Scotch occupation, £10 was also obtained from the two fisheries of Aldstell and Crabwater, which fisheries had been kept previously for the King's own use.

The following are a few of the payments of the same period. For repair of the castle, when it came into the hands of King James, £9 was paid to Robert Blakiter, and £20 to Robert Lauder for the same purpose in 1464. Nearly £90 was paid to Clay, a carpenter, for making a boat on the Tweed, for passage from Berwick to England. The bridge could be forbidden to be used by the Bishop of Durham, who owned the right to the half of it—so a wherry was built of large size for transference of men and horses at pleasure. The Humes of Ayton and Polwarth had evidently been taken captive by the English about 1481; for three last of salmon† was allowed to 'George Hwme' of Ayton,‡ two last to

* 'Scots Act of Parliament,' vol. ii., p. 213. It is calculated that a 14-gallon barrel would hold 12 salmon at 15 lb. each, or 180 lb. of fish. Now, 971 barrels were exported in 1479, which gives 11,752 salmon at 15 lb. each, or 176,280 lb. of salmon exported that year at a value of £2,209, which makes it about 3d. per lb.

† Three last of salmon were equal to about £80 in value.

‡ George was son of Alexander Hume, of Dunglass. His son George was taken prisoner at Solway Moss in 1542, and ransomed for £200.—Carr's 'Coldingham,' p. 125.

'Patrick Hwme' his brother, and one last to 'Patrick Hwme' of Polwarth, in aid of their redemption from the hands of the English.

Before passing on, it may be fitting to offer a single word on the term 'communitas,' which frequently occurs throughout the documents from the earliest time down to the reign of James I. of England. It would frequently seem to imply that the rights and privileges conferred upon the town were not to be confined exclusively to the freemen of the burgh, as that term is now understood. The Mayor, burgesses, and 'community' in the reign of Alexander II. purchased the prison of the burgh. Edward I. seems to have indicated in his charter that only one privilege, that of 'making merchandise,' should be confined exclusively to one class, viz., to those who composed the Merchant Guild, and that the term "making merchandise" did not mean ordinary trading, seems obvious from the fact that even foreign merchants were allowed to buy and sell provided that the goods, if they ought to be weighed or troned, were brought to the King's beam and trone.'* In other words, the grants appear to have been for the good of all the town; and in Edward I.'s second charter, he granted the town of Berwick not to the Mayor and burgesses, but to them and 'to the whole community of the town.' The grant of Henry IV. of the Snook was to the burgesses and community and their successors; and Henry VIII.'s grant was to the Mayor, burgesses, and 'community,' and assessments for debt in Edward III.'s reign were clearly laid upon the community as well as the burgesses.

The revenues of the town, from the time in which it became English in 1482 till 1603, were very small, and principally consisted in rents and profits of the Toll-booth, which then, as lately the Town Hall did, contained several shops which were let to tenants, and a 'Met,' or measure-house, in which merchandise was weighed and measured; profits of the prison; land in the Snook with common of pasture on the other lands within the burgh, and other parcels of ground such as Mayor's Banks, the Bat and the Coroner's Meadow; the rents of a shamble for butchers; fines on the admission of burgesses; amerciaments imposed by the Guild and the Burgh Courts; fair and market tolls; harbour, port, and quay dues; fines for licenses granted to non-burgesses to trade within the burgh; and, during part of the period, the profits arising from the leases of the salmon fisheries in the river Tweed, and of the customs and imposts of wines payable to the Crown within the burgh; over and above all which part of the salaries of the Mayor, bailiffs, and town clerk were paid by the Crown. The Corporation were trustees of the various charitable trusts, such as eleemosynary endowments for the different nunneries,

* Weddell MSS.

friaries, chauntries, hospitals, altars, etc., within the burgh, rents of tenements given for the repair of the bridge across the Tweed. Particulars of as many of these items as possible will be given as the 'History of the Guild' is developed from the local records, which now begin, and continue in almost uninterrupted succession till the Guild passes into the council under the Municipal Corporation Act in 1835.

It will be seen from the preceding pages that the Government of the town before 1603 was largely controlled by the military. I may briefly sum up the powers of the different authorities. The Custos Castri and the Custos Villæ were one and the same person for the greater part of the period from 1333 to 1603, and under his charge was placed the defence of the town and castle against foreign invasion. He was assisted in this by the Mayor and burgesses as a matter of self-interest, and to ensure this co-operation, the Mayor was a paid servant of the Crown. What would now answer to a Board of Health or Urban Sanitary Authority, at that time consisted of a Council, composed of Governor, Marshal, Master Porter, Treasurer, Mayor, and two or three of those who had borne the office of Alderman. To the records of this court we have been much indebted for many interesting details. The Guild, on the other hand, in these early times had entire control over the trade of the town—who were to be members of Guild—and how the fines of admission to the fraternity were to be regulated. All debts between members themselves—or members and others not free—became subject to a settlement at the hands of this body, presided over usually by the Alderman *pro annò*, rarely, if ever, by the Mayor.

After James's charter became law, all this was changed. The power of the Guild was then extended over the whole of the town's affairs. It combined the full powers of a Town Council and Urban Sanitary Authority, regulated trade, levied all assessments, took under its charge the poor of the town for the greater part of its existence, and assumed the entire management of the landed estate settled upon the inhabitants by their present charter. The Mayor, no longer a Government official, was paid his £10 fee by the town, and his power was commensurate with other Mayors' in civil matters, and, in legal matters, he exercised all the powers conferred on him by the charter. He sat in all the Courts, he had a seat with almost, if not altogether, equal power on the bench alongside the Recorder and the Justices. The power of life and death—in other words, of a gaol delivery—remained in these hands till 1842, when, by the 5th and 6th Vic., c. 38, this jurisdiction was abolished, and the Quarter Sessions were alone held in the town after this date. All capital crimes are now tried at the Northumberland Assizes.

In 1835 the old Guild, with all its powers and privileges, passed away, not

too soon if we consider the abuse of its powers for the last thirty years of it existence. For a long time, at first, the Guild performed its work satisfactorily by appointing a private Guild—a committee of its whole number—consisting of the most substantial burgesses, with full powers. Hence we have the constantly recurring phrase, 'We xii order,' really meaning the whole private Guild, no matter what its actual numbers were. This committee, for some time during last century, and for the first thirty-five years of this, was dispensed with, and the whole fraternity of freemen was summoned together to consult and decide upon every question. This government by a democracy does not make such a power at all a desirable one. It speedily showed that the Guild had outlived its usefulness, and had caused a change to be absolutely imperative. A Town Council was instituted in Berwick consisting of a Mayor, six Aldermen, and eighteen Councillors, with powers similar to those of other burghs in England. Four Bailiffs, along with the Mayor, acted as Sheriffs of Berwick till 1835, since which time a Sheriff with usual powers has been chosen in the usual way. The Bailiffs then ceased to be elected. Berwick is now governed by the English law in all its Courts, and subject to the higher Courts of Appeal, as other purely English towns. It is placed in Northumberland for all parliamentary purposes, but it forms a county of itself, and was so constituted by 5 and 6 William IV., c. 276, where it is declared, 'that the burgh and town of Berwick-upon-Tweed, within the limits assigned to it by the said Act, shall be a county in itself to all intents and purposes, except only so far as relates to a member or members to serve in Parliament.' The Town Council dined together, for the first time, on 8th March, 1836. This day was chosen because of the date on the silver tankard which had been presented to the town, in 1686, by Mr. Robert Forster, on the condition that every 8th day of March his health should be drunk out of the vessel at the common council-table. The Council did not long consider this condition as binding, for, on the 5th November, 1836, just nine months after each member of said Council had drunk the tankard empty to the health of R. Forster, Esquire,* they sold for filthy lucre the said tankard and other plate in their possession, viz., a silver oar and silver bowl. With the proceeds of this sale, which only amounted to £32 7s. 2d., they attempted to buy a chain for the Mayor, which, however, cost the Treasurer £51 10s. This chain has been elaborately ornamented in late years by gold medallions bearing the names of the respective Mayors. From the

* Forster was not the first who gifted plate. Rev. George Gardiner, D.D., Dean of Norwich, a native of this town, in 1585, presented a silver basin and ewer to the town, which was, for a number of years, handed from Mayor to Mayor for use on festival days and other convenient times, until it disappeared altogether from the Guild Books without any record being left of its fate.

illustration inserted as the frontispiece this feature of the chain will be easily understood. Besides the chain, the Mayor's insignia now include a purple cloak.

THE PROCEEDINGS OF THE GUILD.

The earliest recorded meeting of the Guild which has been preserved occurred in October, 1506, in Henry VII.'s reign, headed thus:

'In the name of God Amen, the gylde holdinge in the Frers within the toun of Berwick, — of October, the 21st year of the reigne of our Soueraigne lord King Henry VII^th^, the Mair then present with the Alderman and the other officers as hereafter follows:

Robert Barrowe Mair, Thomas Awark, yonger, Dean, Rauff Brown, Alderman.

'The names of the twelve men (Feryngmen):

John Shotten, William Gardner, Thomas Burges, John Rochester, Thomas Brady, Thomas Watson, Alexander Lauerok, George Brown, William Nycholson, Harry Beck, George Fowry, William Shotten.'

The only order made by this Guild follows:

'Also it is constitut and ordeyned ffermly by the assent of the xij men aforsaid, that all suche personnes that mysevse or behaff them selff, beying of the said gilde, towards the Mair, Alderman, or Dean, or any other of the xij men or any hed officer of the town of Berwick, either in words or deds; that the said person or personnes so doing for the fforst falt sex shillings and eight pens stelinge (*sic*).* Also the second falt so done by the same person to forfet xiijs. iiijd., and also if the said person be in falt or trespas as aforsaid the iij^de^ tym that then to be put out of the Gilde to loos hyse fredom for ever without any redempcion, and mor ower the said person so fawtynge to be at the puneshement of the Mair, Alderman, dean, and xij men.'

* The spelling of this period in the Guild Books is very curious. I add a few examples—all English words, only twisted in the orthography: Scyll, sysyd, syssers, fyse, geyr, offyss, monyshede, preiudyssall, hogsed, confechone, owythe, howght, swne, cepeyinge, hymesellffe, skwll, throtye, bowke, debytes, kelynge, attoratye, viage, vntyll, juperdy, pouneched, gyff, tach, ows, anner, crystymes, vsse and injoe, faysse, seysse, soger, ffasson, ffayeth, hyff, leffwll, a naxshon, shovyshently, ventard, vnles, shwce, sopelye casyon, powt, hayors, a noblygasyon, ewsyall, sucye, ofysars, optein, sowrseys, ownkylls, ewse.

The following is the heading of a Guild order in 1555, in the exact words and spelling; 'In the fwrste and segond yere of the Reane of Phelype and Mary be the grayss of God, Kynge and Quene of england, ffrance, Naples, Jeresalame, and Jarland; deffendars of the Faythe, prencys of Spayne and Secylie and archdwkes of Austryes Dwekes of Melyone, burgand and braband, cwntys of Haspwrge, fflandares, and tyrole beffor Thomas Morton, Aldermanne.'

This is a characteristic order referring to the dignity of the Guild and the decorum of its members. Throughout the Guild's existence it was ever a matter of complaint that the burgesses did not uphold these in their integrity. In 1559 the freemen were admonished to come to every court in 'their gownes and othar apparell' under a 'forfett to the Gylde of 8s. without redemsyon.' A century later absentees were compelled to give a good account of themselves to the Alderman, or submit to the fine of 2s. each, and if it was not instantly paid they must lie in gaol till the debt was cancelled. On the 3rd November, 1648, Robert Turvin was fined 2s. for coming into Guild without a gown. At the period of the Commonwealth in England every burgess had to appear not only in a gown but in a black hat at every Head Guild or public meeting under a fine of 12d. A few years later, 1655, 'grey' hats were forbidden; nothing but black could be worn. Richard Davison entered into Guild with a 'grey hat,' and, without option of a fine, he was committed for five days. But, on bail being given, he was granted a respite, on account of important business, till Monday, when he must return and serve out his imprisonment. Coloured hats under Puritan rule must have indicated 'Malignants.' Order of speech was almost as difficult to enforce as order of outward habit. 'Forasmuch as debates in Guild have hitherto been very much interrupted by the popular way of handling them, and no end can be had of the matters moved, it is hereby ordered that for the future no person shall presume to interrupt the discourse of another in Guild, and that none save one shall speak at a time, always observing to speak to the Mayor and Guild under supreme penalty; no reflecting or scurrilous expressions were to be used by one brother to another.' This order was to be read at every Head Guild. Down to the beginning of the last century a penalty of 6s. 8d. was exacted for non-wearing of gowns, and in these gowns they were commanded to 'walk with the Maior on the Fair day, with the town's waits before them, in all dignity and decorum.' A fine of 5 groats was the forfeit for disobedience to the above order, as well as for leaving the Guild without permission after the door was closed. The behaviour continued still far from being faultless. Edward Cook, like a bad boy, sat down in the Mayor's chair while his Worship was addressing the Court. For this 'insolent behaviour' he had to ask pardon of the Mayor, and was severely reprimanded by the Alderman. William Mening, about the same time, called Mr. Pattison, late Alderman, 'a Lyar' in open Guild, with other indecent, abusive, and tumultuous language and misbehaviour, for which he was locked up till he confessed his fault to the Mayor. We shall not follow this subject further, but meanwhile proceed to the course of legislation of this august body clothed in all their dignity of office.

LEGISLATION OF THE SALMON TRADE.

Salmon was the first article of trade the Guild proceeded to regulate, so far as its books are extant. The whole of the Tweed, 'from Horncleff or Wawthem Down,' at this early time was subject to its control, and clearly and definitely it settled that 'no fishing water must, on any condition, be let to any but a freeman of Berwick;' and the only time in which fish could be caught in these waters was from 'the Sonne aryse vnto the Sonne be gon down,' according to the custom and ordinance of the said Guild. Salmon, when so caught and brought into the town, were declared to belong to the person who caught them, and the fishers were warned not to allow any 'Mannes son or servint for to stele hys fathers nor masters salmond nother by neyght no daye.' The penalty attending this fault was that 'on half was forfet to the gyld and the other half to them that fyndeth any so faltyff,' so as to encourage discovery. All salmon prepared for export was salted, and in Berwick alone could this trade be carried on. Twedmothe and the Spytell are particularly mentioned as forbidden places, and penalties were annexed as in the preceding article. As only a freeman could fish for the salmon, so he alone could engage in salting and exporting the commodity. The staple trade was entirely in the hands of the Merchant Guild, and salmon was undoubtedly part and parcel of the said staple. We have already seen what size of barrels were used for this trade when the town was Scotch; it is nowhere declared in the Guild Books what size was in use in 1509, but we have it stated that the merchants trading with London must 'pak no salmont in no london berrells afor they be measured; and if they kepe the trewe syse for to be sealed and so to pass.' There is no reason to suppose that this barrel was different from the Hamburgh barrel in size, for the price of the barrel is nearly the same as it was in 1479, only some thirty years previous. When the size of the barrel was settled, it was laid down distinctly that 'Fremen' alone could ship these from 'this Port.' Close time on the Tweed was from Michaelmas to Candlemas, as we see from the following resolution, from which is also determined what kind of nets were then used: 'No man except he be free burges of this toun shall fysh vpon twede for no salmond with longe net, short net, nor reynge net, from Candellmesse to Myghelmes day, he that so doth to forfett and lows hys cowbell and net; and mor to pay vi^{s} viij^{d}.'* The freeman who is so privileged must on no account hire a Scotchman to help him to fish; nor could he employ even an unfree servant

* Keeping close time then was as difficult as now. A very frequent offence, indeed, was the 'kelynge of kepar' in close time, and the 'kelynge of smolte' in April and Maye.

to fish or buy fish for him. Regulations are easily made; to carry them into actual operation is much more difficult. The coopers, packers, and gaugers do not seem to have fulfilled their duties in a proper manner. 'The coopers do not head the barrels at the proper time; the gagers do not gage and stamp them as they ought to do, and the packers are constantly found packing salmon on the other side of the Tweed.' This latter offence was very difficult to check. Another curious fault is mentioned, viz., 'some lay with ther cobyll on other men's watters.' For the second offence, 'the cobyll to be brokyn and ther bodys to prison XL days.' This was clearly a case of disturbing the fish in water not belonging to the person so offending.

Queen Elizabeth seems to have had a royalty of all the fisheries in the Tweed. In 1568 we learn that one barrel out of every last (12 barrels) was set aside for the Queen's use. Five lasts in this year were sent to the Queen of the best and largest fish that could be obtained, at £2 6s. 8d. per last, when the market price was about £30. According to the data 720 barrels at least was the produce that year.

The determination of the Guild that all salmon must be sold, cleaned, and salted in Berwick led to nuisances, about which the sanitary inspector had something to report: 'There is such corruption and stench all the sommertime in the stretes by washing of Salmon in sundrye places in the town, especially in the Westerland, issued forth of George Orde's, Rowland Bradfurth's, and Davy Skeall's, that it is very like to poyson and infect all the toune.' 'Salmon ought to be weshed at the river side and not in their back sides, for the blood thereof is dangerous for infection.' 'No Freman, *nor any others*, who occupyed Salmon should presume to washe them within the toun, nether in their houses, nor in their back sides, in order to avoid corrupt ayre or other noysome diseases.'

During the year 1727 Daniel Defoe visited Berwick, and the only thing that seems to have attracted his attention was the trade in salmon. He remarks, 'that which we call Newcastle Salmon, pickled or cured, were sent to London yearly. Upon inquiry, I found that really this salmon, that we call Newcastle Salmon, is taken as far off as the Tweed, which is three score miles, and is brought by land on horses to Shields, where it is cured, pickled, and sent to London as above, so that it ought to be called Berwick Salmon not Newcastle.' The carrying of salmon to Shields was contrary to the laws of Berwick, which required all salmon to be brought to Berwick and cured in this town. The difficulty of stopping the trade lay in the fact that the south side of the Tweed was in Durham, and the Berwick authorities had no power to arrest there. Their case is stated thus:

'The cadgers do us great injury in buying up the salmon and taking them to Shields, when by Act of Parliament all must be salted and cured in Berwick. This Act should be secured by a severer penalty to the offender, to be sued for in any Court of Record by Plaint or Action of Debt. The method of seizure is otherwise difficult, by reason they goe by ten or a dozen in company together, and generally take the by-roads. Recorder, Solicitors, and Sir Thos. Trevor, Attorney-General, are, each and all, called upon to help, but they hesitate to advise from the difficulty of arresting.'

NOTE ON SALMON TRADE TILL THE PRESENT TIME.

The trade in salmon was carried on by coopers, men who, at first, evidently attended to the barrels for packing the salmon; but latterly the term had a wider meaning. The cooper of last century bought and sold all the fish of the salmon kind. Before 1788, salmon were boiled in large boilers filled with water made very salt, and pickled with some peculiar flavour known to the coopers only. The water, it is said, was never changed, only additions made to it to keep up the quantity. The salmon having been boiled was then packed in regularly 'sysed' kits or barrels. Berwick salmon, thus created, became famous in all the markets of the country as well as in many of the Continent. Afterwards, when shipping became more active, live salmon were conveyed to London in wells in the ships. But, in 1788, a great revolution in the trade took place. It had been discovered that salmon packed in ice would keep sufficiently long to enable them to be sent to market. This plan was introduced to Berwick from Perth by a gentleman named John Richardson, who obtained the information from Mr. Dempster, a member of Parliament. He had seen it in operation on the Continent.* From 1788, the practice of sending the fish fresh to market gradually became general, until, in a few years, the old system became obsolete, and the coopers began to decay. At the present moment there is no such name known among the salmon-dealers. In Fuller's time there were thirty-two coopers in Berwick. I append some details from another pen, more minute than those I have given:

'The Tweed fishing begins on January 10th and ends on October 10th of each year†. A salmon in January and February weighs from 4 lb. to 8 lb. They get larger till September, when each weighs about 18 lb. or 20 lb. A salmon in October, when the price is 10s. or 12s. per stone, is as valuable as in January or February, when the price is 30s. or 35s. per stone of 18 lb. 10½ oz. (avoir.). No gilses (grilse) are seen until June, and then about 3 lb. or 4 lb. each, and but few got; but they soon increase to 6 lb. or 8 lb. in weight and in numbers also, when six for one salmon is caught, and often twelve or fifteen for one. It is admitted by all fishermen that gilses are young salmon, and return to the Tweed the succeeding year as such; but I never heard of any means used to ascertain this. [This admission is still in dispute.] There are trouts of all kinds in the Tweed; the principal—the large trout from 6 lb. to 10 lb., and the whitling from 3 lb. to 4 lb. The above are caught by the net. The Tweed also abounds in all kinds of small trouts, but these are taken only by anglers with rod and line.

'Salmon and trouts were formerly sent to London raw in boxes, in January, February, and March. Afterwards, trouts were sent alive in vessels with wells, and the salmon and gilses boiled and packed in kitts about 28 lb. in each, filled with vinegar. In August and September many

* Fuller's 'History of Berwick,' p. 423.

† Now it begins on February 15th and ends on September 14th.

hundred barrels were salted and sent to Spain and Italy, but since 1770 none have been salted, London requiring the whole. The number of kitts is uncertain, perhaps about 30,000 or 40,000 per annum, exclusive of those sent raw in January, February, and March. About 1786, packing them with ice began, and it was used partially till 1795 or 1796; since that time all have been sent in ice, in boxes 3½ feet long, 18 inches broad, and 12 inches deep. The salmon, gilses or trout are put in first, and afterwards the ice above, which is beat down with a shovel, as gardeners beat a sod into the ground. The cover is then nailed on. There have been a few salted and dried called kippers. In each box are put about 140 lb. avoirdupois, but more ice and fewer fish in hot weather.'

The number of boxes sent away in the years between 1796 and 1818 vary from 6,404 (in 1806) to 13,189 (in 1801). The number of fish caught for twenty-five years after 1808 averaged 134,000; for the last twenty-five years preceding 1885 the number only averaged 50,000. It is difficult to account for the falling off in these latter years. The close time seems too long. It is now two months shorter than it was, and during September and October many fish are known to pass up the river. The rent of the fisheries of the whole Tweed has varied immensely. In 1799 it was £10,000; 1817, £13,604; 1825, £11,293; and in 1838 it was only £4,000; and now the rental of the whole is about £14,000, the highest during the century.

FINANCES AND ACCOUNTS OF THE BURGH.

At a Guild held in 1517, before Wyllyem Walles, Alderman, the following order was made: 'That yf a freman be set in the tolbouth by the Mayre or Alderman, and yf the sayd freman goe out off the tolbouth wythout lycens of the saym officer, that sett hym. At every tym so fattyng to paye 6s. 8d. wythout any redemsyon to the Comon Chamber.' The 'Common Chamber' here mentioned was afterwards commonly known as the 'Town Chamber,' which was again a name for the 'Treasury' of the town; and, at this early period of our history, the Mayor, among his multifarious duties, acted as Treasurer to the Town Chamber. In the 29th year of Henry VIII. the Guild resolved 'that Master Mayre shall haue the Town Chamer in as ample manner as Odnell Selby had it or any afore him.' The only items of income accruing to the Mayor were as follows: 20s. for every one obtaining his freedom by redemption; 8d. for every pack of cloth that any stranger brought to the market; 12d. for every pack of marsory ware; 6s. 8d. of a fine for using wrong weights and measures; 12d. for every freeman warned and who does not come to the Guild, 'excepe he ax lycens of Master Alderman.' The Mayor was expected to pay in return for the privilege of having the 'Town Chamer,' '16 nobells, and to pay the sergeants' gowns besides.' It was added to this bargain 'that yf the sayd Mastre Mayre pleyss it to have the Town Chamer the next year, to have it afore any other man, payng as other wyll, the one halfe to be payd at the hede court after Crystymes, and the other halfe at the hede court after trinitye Sundaye.'

In 1542, George Morton had the Town Chamber at the rent of £40, out of which he paid:

	£	s.	d.
For Serjeantes gownes	4	0	0
To Mr. Burrell, Mayor that year, in redie money	20	0	0
We have allowed him for two shoppes with the toun	1	6	8
Mor allowed him for money given to Lionel Thompson to rid to Alnwick	1	13	4
For money given to Midcalf, my Lord Marquess trompett, at Mr. Mayres order	0	6	8
Mor allowed him in his own hands with the toun	13	6	8
So all things clear reckoned, the toune is owne George Morton and this is to be paid out of fines of the Court.	0	13	4

The rent of the Town Chamber varied much year by year. It was let in 1552 for £26 13s. 4d. to four Burgesses—James Meares, John Mawe, Thomas Tolle, and Robert Smith. In 1556 another source of income to the Town Chamber is mentioned, viz., the rents of shops under the Town Hall or Tolbooth. Then, as now, there were shops or piazzas under the Tolbooth. There were eleven such, as follows:

Hedle's shop, let for 40s., or 10s. per quarter.
Henryson's shop, let for 40s., haftar the same rate.
Thos. Noddar's shop, let for 20s. „ „ „
Mathe Botcher's shop, let for 10s. „ „
Edward Botcher's shop, let for 7s. „ „
George Henryson's shop, let for 5s. „ „
Thos. Pye's shop, let for 26s. 8d. „ „
Wedo Pearson's shop, let for 10s. „ „
John Shawe's shop, let for 20s. „ „
John Dobson's shop, let for 40s. „ „
John Henryson's shop, let for 8d. per week.

The next Mayor's account extant is that of 1561, when Thomas Bradford held the office. His receipts consisted of

		£	s.	d.
Money received	of Geo. Bardewell and Ed. Browne in Scottish money	4	18	0
„ „	of Matthew Sharpe for his shop at 1s. per week	0	9	0
„ „	Lytell Tolboth, 4d. per week	0	17	4
„ „	of Musterd and his fellows	2	0	0
„ „	of Baynes wife and others (forestallers)	0	8	0
„ „	for Toll for 9 weeks	2	0	0
„ „	for fyne of waters for myself this year	1	0	0
„ „	from the Pynder	0	9	0
„ „	from Matthew Johnson	0	9	0

The account is not very intelligible, but it chiefly consists of fines, and he fines himself, and pays the fine to himself, for having let his fishing water illegally to a Scotchman. His payments, which mainly refer to the Tolbooth, then in bad repair, follow:

	£	s.	d.
For 34 fir dales at 3s. per dale for the Tolbooth	5	2	0
For glas for the windos	8	0	0
For the Tolbooth 32 able double spars	0	16	0
100th wood to the glaziers	0	2	0
Two doblers and one great doble	0	5	0
Nine long pieces of great timber	3	0	0
A piece of timber on shore 21 feet long	0	10	0
One great lock for the council door	0	5	0
One great fir dale more	0	3	0
For nails to Robert Watson	0	10	8
John Dentons fir dale	0	3	0
John Schottens fir dale	0	3	0
To my Lord Warton and the Commissioners	2	0	0
	£22	9	0
The towne is indebted to Mr. Bradforth	£9	13	8

One source of expenditure that caused no end of trouble and difficulty was the payment of the members of Parliament. Anthony Temple was chosen M.P. in 1562. To pay his expenses they resorted to various means. Thomas Rugg was fined for his freedom £13 6s. 8d. For leave to trade in the town they fined William Musterd, John Nickson, John Scott, John Lowther, Henrie Johnson, Steven Drie, £1 each. Steven Sanderson was fined 5s. for unlawfully buying and packing fish. A general sessment was then laid on the whole of the burgesses to raise the sum still required. In the year 1563-64, a considerable amount was raised from fines to allow trading in the town, and among the items of outlay there were £4 spent for sergeants' gownes; 10s. given to the players, probably the forerunners of the 'waits;' for sugar and wyne to my Lord of Bedforthe, when he came to Berwick, for a welcome, £6 3s. 9d. ; more for sugar for my ladie Carie, 10s.' The lady was only credited with sugar, while my lord had both sugar and wine. In 1570 part of the revenues were let for a year for £30, and now they were particularly enumerated as the ' profits and revenues belonging to the Town, both by water and land,' the latter being described to be tollage, package, shop-rents, fines for license to trade granted to non-freemen, and the water revenues being described to be anchorage, bollage, quayage, etc. ; and also the forfeitures incurred by packing and gauging salmon contrary to orders of Guild. In 1575 all the revenues, except the water-bailiffship and the private profits of the Town Chamber, were let for a year for £37. Fines for enfranchisement seem to have formed part of these private profits, for, in 1576, £54 was received by the Guild for admitting a burgess. In 1581, and subsequent years, a close or parcel of land in the possession of

the Queen's Victualler for the garrison, and worth £6 per annum, was let with the other ordinary revenue of the Corporation. In 1599, the Mayor, who had been previously allowed to appropriate to his own use as perquisites certain tolls on corn, horses, and cattle, relinquished this privilege. At the same time new tolls were ordered to be collected, and the value of the revenues thereby increased, being let that year at the advanced rent of £45. During these years the Schoolmaster's salary was £10, the Town Clerk's the same. In 1573 a scavenger was appointed, at £2 13s. 4d. per annum. In 1574, £4 was allowed a London barrister for his assistance and advice in the Corporation's causes. Next year, half a barrel of salmon was allowed instead of £4 for this purpose, and this was ordered to be continued during the barrister's lifetime. In 1580 the Recorder's fee was £10. In 1590 the Guild ordered 40s. to be paid to the clock-keeper for his work. The payment of the M.P.s continued to be regularly made till 1593, when the Mayor and Captain William Selby were appointed. The Mayor's fee alone was paid, and the latter was not allowed any money by the Guild. Gifts, feasts, etc., continued to drain the Corporate purse. In 1593, a pair of fine pistols and a fine Scotch dagger were purchased and presented to a gentleman, whose name is not given, the town' good friend. In 1599, a clock-keeper was retained by the Corporation, with an annual salary of £4. It appears that the Coroner, besides a claim he had to a meadow, was entitled to fees on inquests from the Corporation, and the Guild, in 1601, authorised him to appropriate to his own use at a fair valuation certain weapons which he had in his possession *virtute officii*, in part payment of the fees then due to him.

Up to the time when the Charter was passed, the town's accounts seem to have been kept in the Guild Books or on separate pieces of paper. After this they were entered in a book and properly kept. As yet, the income and expenditure of the town were very small indeed; but one thing is clear, there was no debt on the Corporation of any kind at the passing of the Charter, nor for many years afterwards.

Immediately after 1603 the revenue and receipts began to increase. The Burgh Mail rents and chantries had previously been collected by the Crown; now they became the property of the Corporation. In 1605 the income of the town amounted to £167 8s. 10d., and the payments to £177 7s. 2d., leaving a balance due to the Treasurer of £9 18s. 4d. The whole revenues were described as consisting of 'Water dues, on vessels importing goods, bollage, anchorage, beaconage, and barrellage;' and tolls on goods exported, viz., salmon, corn, and coals; and also land dues, viz., package or tolls for packs, tolls of the market for pedlars,

toll of corn carried out of the burgh, and tolls of horses and cattle sold in the market. The other Corporate revenues, besides rents of meadow and stint grounds and other lands, are described to consist of 'Burgh Mail, chantry, and other rents,' which two burgesses were appointed to collect and account for; and 'uncertain profits, as tonnage of wines, redemption of burgesses, forfeitures of recognizances, fines and amerciaments, profits and perquisites of Courts,' etc., which the Mayor, Alderman for the year, and bailiffs were to cause to be collected and accounted for quarterly. In 1606, and several successive years, the ordinary revenues, made up as above, were let for £36. The Treasurer's books for these years are lost, and no account of the separate items of expenditure can be obtained. In 1607 the Mayor's accounts are interesting. He had collected for the town's use £174 8s. 6d. He was allowed a drawback for sheep's grass, on account of poor widows and trouble about it, £6, and he had paid out £177 7s. 2d.; so there remained due to him £8 18s. 8d. To pay part of this debt:

'This day is delivered over to the said Mayor these parcels of Household Stuff belonging to Mrs. Ffenwick, in part payment of arrerage of rents due for the house she now dwelleth in Marygate, laid forth by him in his late maioralty, viz., one little trunk, 4s.; An old Byble, 5s.; Two pewter candlesticks and a pewter tonne and a little salt, 5s.; a pair of old linen sheets, 5s. 6d.'

These articles had been valued by Aristotle Knowsley and Andrew Crow, bailiffs, at the sum of 20s., and were delivered over to the Mayor as part payment of £8 18s. 8d. It would be interesting to know what Mr. Jackson, the Mayor, thought of these presents instead of one pound in money.

Although the revenues had considerably increased, yet money was not very plentiful. The Alderman had been accustomed to give a feast at the Head Guild every year. In 1607 the Mayor and other authorities entreated Mr. Alderman that he would spare the feast, and hand over the money to the good of the town, which 'he was contented and pleased to do.' He handed over the £6 which he would thus have spent, and it is, by the consent of the Guild, 'recorded in memory of his great kindness and our thankfulness.'

After the charter of James I. became law, the freemen merchants contended that they were exempt from the tax of butlerage and prisage of wines; but eventually it was agreed, on 9th January, 1608, to pay a composition of 100 marks to Sir Thomas Waller, Knight, for the license to sell wines. Four of the wealthiest members of the Guild—Michael Sanderson, Thomas Parkinson, Leonard Fairly, and Hew Grigson—lent the money, which was repaid to them in ten years' time, by each of them retaining the rents of lands leased by themselves from the Corporation.

During the first half of the century few changes took place in these revenues.

They remained almost stationary, and the outlay was always equal to, if not greater than, the income. The cry of poverty was frequent, and many projects were started to increase the income as far as possible. The lands granted by charter were gradually enclosed, and let as farms, from which rents could be obtained to relieve the embarrassed state of the finances. On November 3rd, 1648, they enclosed 'certain lands near Lamberton, and let them to the best advantage, beginning at the North side of Segden Chesters, up the South side of Scurry Law Burne, from thence up the North side of the Stony Muir Riggs, directly to the Eastmost of the three Knowes, and from thence to the Stone Cabbanits, and so directly to the Meere Loch, and so to the Lord Mordington's corne at the Garrison's meadows above the way.'* Again, Shaftoe's Close was let to Mr. Ffoxton, for sixty years, on present payment of £100,† and 1d. per annum after; and out of this money he was to pay himself for his debts, one of which was incurred by supplying, at the town's expense, candles to the garrison.

From 1649 to 1656 the monetary affairs of the Guild were in as low a condition as they had ever been throughout its history. But now the wheel of fortune took a turn for the better, and from 1657 to 1661 the financial condition of the town was highly satisfactory. This arose principally from the large revenues derived from Lord Mordington's estate, which had been forfeited by the Commonwealth. These were used to clear off all debts, and make needful repairs to the fortifications and the bridge. In 1658-59 they amounted to £2,280 5s. Up to Michaelmas of 1660, £1,291 had been obtained by the Mayor from the same source, who accounted for the spending of £3,112 4s. 3d. On the Restoration being completed, the Mordington estates had to be restored to their owner, and so the financial condition of the Corporation speedily became embarrassed again. In 1661 they had to borrow £50 to pay for the renewal of the lease of the rectory. They now sold the castle for £100 to Stephen Jackson.

His Majesty sent to the town for a free benevolence in this year. The Guild generously contributed £100, which was raised with difficulty by public subscription. The Mayor was asked to subscribe a double share to make up the sum. A quantity of Commonwealth 'coyne' was found in the town, now of no use, so the Guild melted it to make a 'cupp' or a 'bowl' for the annual race to be run this year. To relieve their finances a little, Banks, the Schoolmaster, was dismissed, for they could not pay his salary. The Bounds-riding had, then as now, been accompanied with a dinner, on the company returning to town; the expense of this dinner had been paid out of the public purse, and now it was

* These are the boundaries of the New West Farm of the present day (1887).

† Shaftoe had been Postmaster, and this close named after him was the same as the Post Banks.

determined that the dinner should be continued (in 1664), but henceforth 'the town shall only pay for every man's ordinaries, and every man must pay for his extraordinaries, if he has a mind to have any.' This order had not been carried into effect in the dinner of 1665,* else it makes the large sum paid for it still more inexplicable.

The difficulties of the Corporation did not now arise so much from the want of funds as from an over-expenditure. Complete accounts exist for the following years:

	Income.	£	s.	d.	Expenditure.	£	s.	d.
1666	- - - -	994	15	0	- - - -	1,041	7	4
1667	- - - -	741	1	4	- - - -	692	0	1
1668	- - - -	844	8	7	- - - -	873	16	3½
1670	- - - -	830	11	4	- - - -	1,312	1	7½
		£3,410	16	3		£3,919	5	4

Expenditure over income, £508 9s. 1d.

The extended income and expenditure for one year (1666) may be given:

INCOME.

	£	s.	d.		£	s.	d.
Balance from last year - - -	164	3	8	From rent of Cocklaw Farm - -	56	0	0
From rent of Bailiff's Bat Fishery -	50	0	0	„ Tithe of non-freeman's lands	52	10	0
„ „ of New Farm - -	81	0	0	„ rent of Farm in Porter Haugh	15	0	0
„ „ of half Tithe of Cheswick	22	10	0	„ „ of Shambles - - -	21	0	0
„ „ of Petty Tithes - -	23	15	0	„ „ of Mayor's Batt - -	2	0	0
„ „ of 'Coalyery' - -	22	0	0	„ Horses that run in the Bounds	5	0	0
„ „ of Milne in Calf Hill -	8	0	0	„ Fines for Freedom and School money - - - -	11	10	0
„ „ of Cow Close - -	10	0	0	„ Customs for the Bridge (tolls)	50	0	0
„ four houses - - -	2	13	0				
„ Fines from Sessions - -		13	4				
„ the Town's ancient revenues†	242	0	0	Total income -	£994	15	0
„ rent of North Bells Fishery -	155	0	0				

EXPENDITURE.

Salaries.

	£	s.	d.		£	s.	d.
John Smithson, Vicar - - -	60	0	0	Two Beadles - - - - - -	6	0	0
Wm. Webb, Schoolmaster - -	60	0	0	Two Pinders - - - - - -	3	0	0
Mr. Chamberlain - - - -	16	0	0	Patteson for keeping the clock -	6	0	0
Mr. Town Clerk - - - -	10	0	0	Field Grieve - - - - - -	2	0	0
Bartram Orde - - - -	6	13	4	Wm. Bigg, Town Agent - - -	8	0	0
Sergeants at Mace (4) - - -	32	0	0	Charge for letters and business -	7	0	0
Will Davison, Lecturer - - -	80	0	0	Gaoler - - - - - - -	2	0	0
Davison's expenses coming here -	10	0	0	Anderson for Water Course - -	2	0	0
Rent of House allowed Davison -	4	0	0	Mortoft's Widow Fund - - -	10	0	0

* See account that follows.

† This item had increased from £30 in 1608 to £242. It was as high as £301 in 1658.

GENERAL EXPENSES.

	£	s.	d.		£	s.	d.
Tweedy's Widow Fund	5	4	0	Mr. Mayor's Feast*	40	0	0
Ringing Bells on Mich[s] Day	1	18	8	Dinner at Bounds riding*	37	9	4
Paid to Waits „ „ „		19	4	Bellringers „ „		19	4
Paid for Kipper keeping		4	10	Ribbons for „ „	4	14	2
Bringing down the boats	1	0	0	Music for „ „		9	8
Repairing the New Milne dam	24	16	9	4 Sergeants' Horses at Bounds riding		4	0
Given to Workmen at the dam	0	2	6	Plate run for at Bounds riding	14	6	6
Twelve months' assessment	16	12	5	Guard and Gunners at Bounds riding		14	6
Mending old shore gate		10	0	Three Sessions dinners	6	0	0
Waits' cloaks	4	3	8	Spent at the Crown and Mr. Caterall's with Mr. Davison, Lecturer		11	0
Writs and Proclamations	1	7	7	Paid to Poor Travellers	3	6	3
Paid Mr. Alderman	27	10	6	Mr. Chamberlain (2nd payment)	26	16	4
Paid for 3 Bulls	8	0	0	Taxes	1	10	2
Hay for Bulls	2	11	0	Salkeld, a debt when Agent	27	0	0
Glaziers at Church and Tolbooth	5	8	11				
Fee Farm, paid to the Crown	20	9	8				

	£	s.	d.
Bailiff's and Town Clerk's charges at Edinburgh on Prenderguest's Sessions	4	16	0
Thos. Dickenson and Jas. Scott, two witnesses and their horses, at Edinburgh, to answer about our ground claimed by laird of Prenderguest before the Lords of Council, and given to Secretary there	13	10	0
Town Clerk for Charges on Journeys on Town's business	6	10	0
Mr. Recorder when he came to try the water, and his Salary, £4	14	0	0
Expenses of Counsel in this case	53	5	8
My own and Town Clerk's charges at Newcastle to speake with the Earl of Carlisle	7	0	0
Disbursed at London by Jas. Scott on obtaining grant of £100 for Bridge	137	10	8
For the return of £125 of said money, at 13d. per £	5	4	2
James Scott's and Daniel Collingwood's expenses, £20 each	40	0	0
Town Clerk for Ribbons for Lord Ashley's, and Mr. Briggs' Tickets, for wax and laid out		9	3
Paper for Town's business, 5s., and rent of Rectory, £10	10	5	0
Not properly specified	140	5	1
For drawing out this acct.	1	0	0
	£1,041	7	4

Considerable outlay might have been saved if the Guild had not so lavishly treated many of its friends. Lord Widdrington, Governor in 1671, had been absent for a time, and on his returning to town was handsomely treated in the new Guild Hall. Edmund Thorrold, Deputy-Governor, had used the burgesses with great civility, and they proposed on his leaving town that he should drink a glass of wine with them that they may wish him a good journey. When the Duke of Hamilton was known to be coming this way, the Guild at once decided to give him 'a handsome treat.' The same to Lord Ogle when, in 1675, he succeeded as

* These are large sums, considering the year, 1666.

Governor. He must have had a second treat, for the Mayor and Guild had to pay for 'a broken table and a stained carpet in Mrs. Grieve's when the Lord Ogle was treated with the Bishop of Durham.' About the same time Stephen Jackson and his son with their wives were in town from London. Jackson had been for a long time a trusted friend. A treat was determined upon, and the Alderman and Bailiffs were ordered 'to look out for wild-fowl and other novelties that can afford for them entertainment.' In this same year the Guild made a treat of a kettle of salmon on the river-side to one of their firm friends. We must forbear to add more concerning this form of expenditure, but enough has been said to show the tendency, foolish certainly when the income of the town did not permit of such prodigality.

For some years the average expenditure and income fluctuated about £900. Yet the balance against the Corporation steadily grew. The only means the Guild had to recruit their financial condition was to take some of the unenclosed land and turn it into 'Treasurer's Farms,' whose rents could be used for public purposes. In 1685 they converted sufficient land into farms to furnish rents worth £173 annually, and, in 1710, more farms were enclosed and let, from which £200 of rent was obtained. This plan continued to be carried out during the remainder of the Guild's history. In 1685, £600 of Bridge Money came into their hands, with which they paid off a debt of £100, and £150 of the expense of the new Charter, and bought a new silver mace for £36 11s. As the century advanced the authorities became more straitened in circumstances. In 1697 this mace was given to Mr. Lawson, the Mayor, at a value of £30, for which all his debts were to be cancelled. In the same year, they borrowed £200 for debts, and promised to pay it off at the rate of £40 a year in seven annual payments. In all, with interest, they paid £288 for this loan, which was rather more than 12 per cent. interest for the time.

In 1699, the machinery almost came to a standstill. Debt kept increasing so fast that something had to be done. The usual plan was adopted, and so frequently was it resorted to in after times that it may be called the patent for reducing the expenditure of the Corporation. In this year all the salaries were lowered. The Mayor's was reduced from £40 to £30, the Latin schoolmaster's from £60 to £50, the writing schoolmaster's from £40 to £25, the sexton's from £4 to £3, and so on. No more money was to be allowed 'for coffins to the poore.' All leases were to be signed without unnecessary expense. No more music was to be allowed on festival days. £10 and no more was to be spent for dinners, except 'on extraordinary occasions.'

In 1696, the first Treasurer of the Corporate Funds is mentioned, Cuthbert

Brady. He continued in office without a salary till 1700, when Mr. Matthew Forster was appointed, and 'for the great trouble there is in the office he shall yearly have a silver tanker, given him at a value of £6.'

For the next twenty or thirty years the Guild kept on borrowing largely and retrenching in small and trifling matters. They borrowed £700 to pay off a debt of £400. At the same time, they resolved that they should no longer pay 1s. 6d. to the sergeant for whipping offenders, nor pay the bellman 6d. per call, when the call was for the Corporation!

However, in the year 1729, they began to consider seriously the state of their finances. The following is a statement of their debts:

'Due to Wm. Dickson, £100; Wm. Miller, £100; Ed. Wilson, £300; Thos. Watson, £800; Ed. Nealson, £224; to the Executors of Mr. Thompson, £100; Elizabeth Nicholson, £100; Geo. Watson, £150; Elizabeth Songster, £320; due to the Treasurer, £265.—Total, £2,659.'

Some of the causes why they are in debt are as follows:

They maintained all the aged and impotent poor, and divers orphans and bastard children, while all the inhabitants ought to be taxed for the same; they repaired the church and churchyard walls, and utensils in the church, which ought to be found by the parishioners; they paid extravagant prices and rates to w.-kmen and artificers, and the inspectors were very careless, which was a chief cause of the town's indebtedness. New offices with salaries were created, and these salaries went on increasing; the town's debts were carelessly collected, and tenants were continually eased of part of their rents and were not kept to their covenants. 'In short, the tenderness and easy compliance of the Guild and the lenity of the Magistrates rather than disoblige the body when they are pressing, have brought the town into insuperable difficulties which will in the end, if persevered in, render us incapable of discharging our just debts, and bring the town into contempt and reproach.'

Under this pressure they elaborated a scheme to give them a surplus.

	£
1. They resolve to let the farms of Baldersbury for 7 years	700
And the Yellow Gowland on the west side of Hallidown Hill; to the west and north side of Peddigar Loch, and then down the north side of that and down the dene together with the furthermost Horse-close, which, at present, is covered with broom and barren heath, for 7 years, at £120	840
2. That a tax be laid on all salaries at 1d. per £ in 7 years will give	140
3. That a tax be laid on all meadows at 2s. per acre for Justices and Maiors, and 5 groats on the Aldermen's, 16d. on Balliffs', and 1s. on all burgesses	315
4. That the Key be let out to merchants and others in lots and shares in 7 years	70
5. That the carter's house be let for 7 years	30
6. That the tythes be let for £80 for 7 years	560
7. That £400 of the debt was for the bridge, and it can need no repair for 7 years. Money coming from it will amount to	400
Total	£3055
Debt	2659
Surplus	£396

These moneys were to be handed over to three trustees who were to receive the cash and pay off the debts. Those who drew up the scheme, appealed in the following words to the burgesses to carry out their plan and get the town freed from the burden: 'As the Corporation's affairs now stand they are in debt and bondage, disorder and confusion, the fatal consequences of which, if not timely prevented, may be desolation and loss of privileges, ruin and misery. These things no person of sound reason or sound judgment would choose, when liberty, freedom, peace and order, preservation of valuable privileges, credit, honour, and a prospect of lasting prosperity may be obtained, and that at so easy and cheap a rate as denying ourselves so short a time of a trifling inconsiderable convenience.'

John Sibbit, Mayor and Town-clerk this year, was the prime mover in this matter; and, if his advice had been taken, the credit of the town would have remained good. Sibbit was one of the ablest officers that ever served the town and Corporation. But how was the scheme worked? Baldersbury was never let; the tax on the meadows for the first year was taken to renew the lease of the Rectory, and for five years the scheme was borne very grudgingly indeed, when in 1734 the trustees were dismissed, the scheme abolished, and the revenues managed as before. The only retrenchment thought necessary at this time, 1729, was to sell the horses and carts that had been bought eight years before to keep the town clean. The horses were sold for £7 1s., the two carts for £7 4s.; total, £14 5s., by which they incurred a loss of £15 15s. As in former times, each inhabitant had to keep his own door clean, and cast away his rubbish.

In 1739, a new method of borrowing came into use, viz., the granting of annuities, at the rate of about £10 on £100. This gave them command of ready money. Thus they went on borrowing till, in 1744, the interest payable for annuities alone amounted to £240. This year, again, salaries were reduced, £5 taken from two of the teachers, and £10 10s. from another. The income and expenditure of 1746-47, the year after the rebellion, may be given to contrast with that of 1665-66:

INCOME.

	£	s.	d.		£	s.	d.
Grand Farm and ballast key*	311	7	5	High Mill House	2	0	0
New Farm	53	10	0	Correction Yard and a Small House	1	8	0
Tweedmouth Colliery†	47	2	6	Fenwick's Bat	0	10	0
Cocklaw	61	0	0	Easter Reckonings	10	7	6
New Mill	73	0	0	Tax on the Cattle	165	9	0
New Lime Kiln	1	10	0	Tax on the Meadows	35	3	0

* Formerly 'Ancient Revenues,' viz., Tolls, Burgh Mail, Anchorages, Ballast, etc.

† The colliery was acquired along with the royalties of Tweedmouth and Spital.

	£	s.	d.
Bridge Money	47	3	7
Coldmartin Rent	6	12	6
Bailiff's Bat	41	0	0
North Bells	140	0	0
Shambles	39	10	0
Stank Closes	6	0	0
Petty Tythes	13	15	0
Grand Tythes	88	0	0
Cheswick Tythes	16	10	0
Clerke's House	0	4	0
Tweedmouth rents	9	11	0
Engine House	6	10	0
Burgesses made free	52	10	0
Apprentices enrolled	12	0	0
	£1247	13	6

There was a very considerable increase of income during these 80 years.

EXPENDITURE.

SALARIES.

	£	s.	d.
Mayor	33	10	0
Cooper (Vicar)	80	0	0
Cooper by order of Guild*	30	0	0
Andrew Jackson, Writing Master	15	0	0
Ph. Redpath, Mathematics	20	0	0
Rich. Mather, English Master	10	10	0
Ralph Morton, Reading Master	20	0	0
James Nealson, Latin Master	60	0	0
Town Clerk	10	0	0
Coroner	2	0	0
Four Sergeants	36	0	0
Mrs. Pratt (Pension)	10	0	0
Mrs. Richardson (Pension)	10	0	0
Mrs. Rowland (Pension)	3	10	0
Mortoft's Widows	10	0	0
Treasurer's Fee	20	0	0
A year's allowance for the Justices	10	0	0
Sharp and Lyell, cowherds	24	0	0
Edward Evans, Sexton	2	0	0
Henry Hewetson, bellman	2	0	0
David Forster, Gaoler and cleaning the leads	9	10	0
Lindsay and Allen, for cleaning High St. and Foulford	3	0	0
Geo. Davison, deacon of the shambles	2	0	0
John Oswald and McGill, waits	10	10	0
Douglas, for Keeping Water Pipes	12	0	0
Patterson, Field Grieve	15	0	0
Holmes and other beadles	9	0	0
Mrs. Sibbit (Pension)	10	0	0
Mrs. Cook (Pension)	4	0	0
John Park (Pension)	2	0	0
Recorder's Fee	4	0	0
Total Salaries and Pensions	£499	0	0

GENERAL EXPENSES.

	s.	d.
To Waits for Playing before the Magistrates on Michaelmas Day	5	0
To Waits for Playing at Tweedmouth Court, 5s., and on Duke of Cumberland going through the town	15	0
Making Coffins for Poor People or Soldiers, 5s. each for an adult and 2s. 6d. for a child, 36 in all	152	0
Edward Collins, Molecatcher, for killing 2,700† moles, at 1d. per head	225	0
For spreading Mole Hills on the Pasture Grounds	105	0
Three Bonfires, at 1s. 4d. each	4	0
Sergeants and Constables for conducting a woman out of town	1	6

* Given to Cooper instead of the lecturer for the afternoon lecture.

† This and the next are very common entries, indicating vast numbers of these animals in the grounds.

	£	s.	d.
And for apprehending and carrying to Gaol Martha Price, 1s. 6d., and for whipping one C. Burnett		3	0
To Wm. Chisholme for two blue mill stones for Insurance Duty, Freight, and Porterage £48	19	4	
Cartage for do., £1 10s., and Laying down at New Mill, £7 15s. 4d.	9	5	4
Wine for the Church, £13 4s., and Washing the Linen, £1 10s.	14	14	0
Cloth for Sergeants, Gaoler, Bellman, and Beadles' Coats, 8 in all	18	6	8
Making the above 8 Coats	2	13	0
3 Coroner's inquests, 13s. 4d. each	2	0	0
Vagrants and Prisoners in House of Correction at 1s. 5½d. per week, and other Charity	90	12	6
Contingent expenses, including all save Salaries and Charity	£919	8	0½

	£	s.	d.
Interest on £2,050, £102 10s.; Interest on Annuities, £110	212	10	0

Connected with the late rebellion the following occur:

To the Constables for impressing horses to carry gunnes to Dunbar for the army	0	5	0
To John Clerk for expenses attending the baggage	0	8	0
To Robert Anderson for carrying baggage to Dunbar	0	6	3
To Pattison and others for carts for carrying baggage to Dunbar	0	15	0
To Pattison and others for carts for carrying baggage to Dunse	1	0	0
Dd Miller and John Currie for two carts carrying baggage to Dunbar	1	18	9
Geo. Douglas and others attending with lanthorns the Duke of Cumberland	2	10	0
Mark Young and Constables for their extraordinary trouble during late rebellion	1	10	0
Wm. Jacks for six tubs for carrying powder	0	6	0
Wm. Campbell for billetting soldiers during late rebellion	5	0	0
Ralph Williamson for billetting soldiers during late rebellion	5	0	0
Sergeants and Gaoler for extra trouble	2	10	0
Thos. Malcomb for coals for Corporation's use during late rebellion	4	11	10
	£26	0	10

INCOME.

	£	s.	d.
	1237	2	6
Balance	271	18	0½
	£1509	0	6½

EXPENDITURE.

	£	s.	d.
Salaries	499	0	0
Charity	90	12	6
Contingencies	919	8	0½
	£1509	0	6½

Some interesting items I quote from other accounts, illustrative of manners and customs of ancient times:

	£	s.	d.
Mary Brown was kept for 6 days by Bailiff Forster for	0	1	3
The Beadles bought whipcord for 3d. and whipped the said Mary Brown out of town for 1s. 6d.	0	1	9
Tolling the Bell at the Queen's funeral (1737)	0	5	0
For seizing 7 angle rods and 2 leisters and 15 nets (illegal fishing)	1	5	0

	£	s.	d.
Two tar barrels for burning bad beef sold from a ship	0	3	6
Andrew Mitchell and James Smart for baiting a bull*	0	2	6
Andrew Bell for an Almanac for use of the Church	0	0	6
The May Day Dinners (1740) cost	18	11	0
In 1732 the Bishop of Durham was entertained at a cost of	40	5	6
To Wm. Constable for Catching a Seal	0	2	6

The Guild continued liberal to the end; the only thing one can say against it is that they were liberal at the expense of the present generation and not of their own. During the Volunteer period, 1778 and onward, they subscribed 2 guineas to every able-bodied landsman enlisting in Berwick, and 5 guineas to every able-bodied seaman, and 3 guineas to every ordinary seaman over and above the Government allowance. Fifty pounds, this year, were so spent, which they borrowed for the express purpose: they likewise borrowed £150 to pay the poor-rate on the Corporation lands; £300 to pay the lease of the Rectory. A public subscription was made for the necessitous poor, and the Guild borrowed £50 and subscribed that sum. In 1789, £50 was granted for the race this year at Lamberton, and at the bounds' riding each person who took part received 5s., and £8 was spent on ribbons.

In 1798, they completely outdid all their previous efforts. They subscribed £50 to purchase shoes for the British army, to be sent over to the Continent, and gave a donation of £1,000 to the service of the State, advertising their munificence in the *Sun*, the *Star*, the *Whiteball*, the *London Evening Post*, and the Edinburgh, Newcastle, and Kelso papers. The Government, with William Pitt at its head, was incurring National Debt more rapidly than ever had been done before; and this evil influence seems to have infected the whole country.

The year 1817 is important in our financial statement. A thorough investigation was made into the town's solvency, and a plan elaborated by the more wealthy part of the Guild which, if adopted even so late as that year, would have saved the town from its embarrassed condition; but, on consideration, the plan was thrown out and the old patent adopted of lessening salaries all round. For eight years ending 1815, the excess of expenditure over income had been yearly no less than £1,546. For 1816 the excess was £6,068 9s. 10d. From 1807 to 1816 the total excess amounted to £18,441 3s. 10d., borrowed on interest and on annuity. The total bonded debt was then £24,675; interest payable £1,185, and on annuities £844 4s. 2d., making in all a charge of £2,030 on an income of £5,000 per annum. Fixed charges upon the revenue left £300

* This so late as 1732; another instance occurs in 1740.

for contingencies, which were never less than £1,000; so that at least a yearly deficit of £700 remained. This was the plan adopted to save the credit of the Corporation:

SALARIES.

	PRESENT. £	s.	FUTURE. £	s.	
Town Clerk's Salary	200	0	150	0	
Four Sergeants at Mace	128	0	100	0	
Wm. Whillis, Bellman	12	0	4	0	
Thos. Statham, Bellringer	31	4	25	0	
Two Beadles	40	0	30	0	
Wm. Brown, Gaoler	40	0	20	0	
Mr. Alderman	10	0			
Steward to Court Leet	10	0	5	0	
Bailiff	10	0	4	0	
Blower to Church Organ	5	0	3	0	
John Rowland (Clerk)	15	0	10	0	
Wm. Wilson, Plumber	12	0			
Bailiff	20	0	10	0	
Wm. Young, Keeper of Exchange	10	0	5	0	
William Henderson, Dean	5	0			Appointed again shortly after.
George Gregg, Keeper of Engine	2	0			
Wm. Ferrow, Keeper of Pipes	8	0			
Samuel Laws, Constable	8	0			
Henry Alder, Singing Master	5	0			
Thos. Herriot, Ness Gate	3	0			
The oldest Freeman	10	0			
George Riddle, Coroner	25	0	20	0	
Rich. Todd, Schoolmaster	70	0	60	0	Todd's salary was raised again within a year.
James Hall, Schoolmaster	70	0	60	0	
Andrew Stevenson, Schoolmaster	70	0			This order shortly after rescinded.
Mungo Cairns, Schoolmaster	60	0	60	0	To be continued at £60 if they teach Grammar in their Classes, if not £10 to be taken off.
James Paterson, Schoolmaster	60	0	60	0	
Alexr. Graham, Schoolmaster	60	0	60	0	
Andrew Thompson, Pensioner	25	0	20	0	
Bell ringers for 10 ringing days	20	0	12	0	
Riding the Bounds	8	8	2	8	
Bailiff's Annual Pay	40	0			
Coals for Schools	18	0			Rescinded in January, 1821.
Water Bailiff	10	0			
R. Evans, Sen.	18	0			
	£1140	0	£724	8	Saving of £415.

A nominal saving of only £415 was obtained in this way. I say nominal; for in a few years all the salaries were raised to the former amount, and things went on as before. Very unnecessary expenditure the Guild indulged in immediately the

above scheme was passed. At their very next meeting they ordered that Lord Ossulston and the Hon. H. G. Bennet be made free, and that their tickets of freedom be surrounded with gold lace to the extent of £6 14s. 9½d. In October of this year, they ordered a silver oar at the value of £6 15s.; and the town's arms and Mayor's name were ordered to be put in it. On the death of Queen Charlotte, they covered the Mayor's and Bailiff's pews in the church, and the town's arms in the Town Hall, with black cloth, at an expense of £41! For hanging this black cloth, the bill was £5 7s. 8½d. Again, on July 19th, 1821, the coronation of George IV. was celebrated, and 10s. given to each burgess and 5s. to each burgess's widow, to solemnize the event. £250 was needed for this distribution, and it was borrowed for the occasion!

In 1825 Thomas Jordan Steel was Treasurer and Mayor. He was presented during his mayoralty with two silver goblets, worth £8, for attending to the true interest of the Corporation, and, during the first year of his official life, with a piece of plate worth £5 for the correctness of his statement that year! The statement of accounts for 1825 was as follows: Income, £25,233 7s. 6d.; Expenditure, £33,710 18s. 9d.; leaving a balance against the town of £8,477 11s. 3d.! This was the result of five years' work. The debt in 1817 was £24,000; now, in 1825, it was £33,518, with annuities to the extent of £12,280: total, £45,798.

The statue of Justice in the Council-chamber was the work of J. Alexander. It was finished in 1789, and, in 1825, he was paid £5 in satisfaction of his work.

In 1831, another financial committee was appointed to consider ways and means, but it resulted in no decisive action. In short, a week after it met the Guild ordered 10s. to each freeman and 5s. to each widow, to enjoy the coronation of William IV. as they had enjoyed that of George IV. In this year the debt was increased by £3,600; and, on the passing of the Reform Bill, 5s. was presented to each burgess, so that he might qualify himself for the enjoyment of the day. A full statement of the debt of the Corporation may now be given. It is taken from an account delivered by the treasurer to the Committee of the House of Commons on Municipal Affairs in 1833:

	£	s.
In 1801 the total debt	= 9,539	0
In 1811 " "	=18,212	0
In 1816 " "	=27,740	0
In 1821 " "	=38,328	10
In 1826 " "	=45,803	0
In 1832 " "	=54,011	15
In 1835 " "	=43,803	0
In 1847 " "	=46,103	0

	£	s.	d.
Interest payable was	- 720	0	0
" "	- 1,235	11	0
" "	- 1,751	5	0
" "	- 2,473	10	0
" "	- 2,711	2	7
" "	- 2,949	5	0

In 1867, the debt remained the same as in 1847, and now, in 1887, it has decreased to £37,186 5s. This diminution has been effected through the sale of houses whose leases had expired. It will be noticed that the debt was principally contracted during the first thirty years of this century. The deficiency was considerably over £1,000 per year, and the following abstract will show the item of the account that led to this :

	£	s.	d.
Total yearly expenditure of the Corporation in salaries, interest, etc., on an average of two years	6,007	1	0½
Cash divided among burgesses and widows of burgesses as meadows and stints	5,894	4	6
	11,901	5	6½
Total receipts on an average of the same two years	10,335	13	4
Yearly deficiency to be made up by borrowing money	£1,565	12	2½

The second item of the expenditure is where the money ought to have been saved, and the yearly deficiency indicated in this abstract should have been saved on the meadows and stints. That is, the freemen of the first thirty years of this century lived at about £1,500 yearly above their income, to the grievous loss and damage of their successors in all time coming. The whole government of the town in these years was conducted in a most irregular and extravagant manner, and showed, above all things, that the Guild had outlived its days of usefulness, and that the Municipal Corporation Act did not pass into law a day too soon for the safety of a remnant at least of the large corporate property that had been gifted to Berwick in the Charter of James I.

MEADOWS AND STINTS.

The property that the freemen of Berwick owned by Charter right, before James I., was very small indeed. The Berfrey had belonged to them since the reign of Alexander III., probably from about 1250. It was given by Simon Maunsell to the town. This Berfrey became the tolbooth of later times, and the tolbooth was changed into the Town Hall about 1750, so that the land on which the Town Hall stands has really belonged to the burgesses for more than 600 years. About ten acres of land in the Snook had been conferred upon the town by Henry IV.; this property belonged to them till Elizabeth's reign, when it seemed to have been forgotten that it was ever theirs. Likewise the right of common pasture over part of the Crown lands belonged to the burgesses of the town, the stallingers and the soldiers of the old establishment, thus :—' We ffynde and presentt that by auncient

order, custome, and prescription, ever sithence Berwick hath bene English, the bounds and fields of this toune doe belong to the burgesses and olde Garryson of the firste establishment, and to the stallengers of the same, and that by auncient righte and custome they may keep in the same bounds every man their kyne, and on other beaste, for strengthe, and also a nagg and a gelding, and not above.' The soldiers of the last establishment were desirous of the same rights, but these were declared hurtful to this town. The lands, that were included in the above order, are thus described: 'Baldersbury, Latham, Chapmanchesters, Grangeburn, Catcragge, Cockelawe, and other places within the bounds which belong to the burgesses, the ordinary garryson, and the first establishment, and to the stallangers.' To these were added the Snook, the Maudlen Fields and Gaynslawe. These additions had been made, during the building of the fortifications, for feeding her Majesty's beeves; and Mr. Vernon, the present victualler, was retaining them against the rights of the town. Further, the town cattle had free common of pasture within the Marshall Meadows from hay-time till Candlemas, without any hindrance or 'yntervption,' and so of right they ought to have. The stint,* at this time, seems, so far as cattle were concerned, to have been as stated above; but a very great number of sheep were pastured, more than should have been, according to orders. The four dykers, in recompense for repairing the castle dykes and bringing water from the heads to the ditches about the town, were always allowed eighty sheeps' grass. The two men, that were yearly appointed to be the keepers and pinders for the fields, were allowed between them forty sheeps' grass. Also for repairing the 'cassey,' without the Marigate, there was allowed yearly twenty sheeps' grass, and, to the common herd, in recompense for keeping young cattle, twenty sheeps' grass. The stint in the year 1575 was as follows:

ALLOWED TO THE DIFFERENT OFFICIALS, ETC.

To the Maior	40	Mr. Marshall	40
To the Treasurer	40	Mr. Porter	40
Mr. of the Ordnance	40	Mr. Chamberlain	40
The Provost Marshall	40	The Toun Clerk	20
Six Pinders	120	Four Dykers	80
The Day Watch	20	Repairing the Cassey	40
'Comon Nolthirde'	20	'Cloke Keper'	20
Keper of Conduit within the toun			20

* 'Stint' is a technical Berwick word. It is easily seen in the passage to what it refers. The burgesses and others were stinted or limited to a certain number of cattle which they could put on the fields. This right was afterwards commuted to a money-payment, which retained the name. The original purpose, however, in course of time was forgotten, and hence the supposed difficulty in the meaning of the word.

Allowed to be given and distributed to the poor - - - - - - - - - - 120
„ unto Robert Carr in respect he lost one of his ears in defence of the fields the time he was a Pinder - - - - - - - - - - - - - - 20
„ the Executioner - - - - - - - - - - - - - - 20

Instead of the original eight score, there are here thirty-nine score of sheep pasturing in the fields. If these were regularly going in the fields, then at times they must have occupied much less ground than what is already stated, for part of the common ground was 'hayned' for hay every summer. In connection with the hay a very curious custom obtained. The hay-ground was all parcelled out into suitable lots for the various parties who possessed a right to it. It was seemingly difficult to allocate the lots without offence. The plan adopted was novel, probably unique. All the shareholders, if they may be so termed, on a given morning in summer, when the hay was fit to cut, collected in Castlegate on horseback, each on his own horse (if the horse was borrowed, the hay was forfeited), and at a given signal (a shot was fired), every man at full speed made for the lot that he desired; the fastest, of course, got the best. Elaborate rules were laid down for this manner of settling the vexed question. A space for the whole code cannot be given, but a few laws are appended: (1) 'That no man runne bare backed, but to have bridell and sadell.' (2) 'That no man make any quarrel or give any foule words.' (3) 'That every man that will run shall bringe his name to the Marshall before the mowing day, and sweare his horse his own.' (4) 'That no man presume to come within the common meadows ten days before the running day, on horseback, or on foot, to view any place where he would run to.' No further change of any consequence happened till the charter of James I. became law, when the property, on which they had pastured their cattle and horses for nearly 300 years, became their own in absolute right. For a few years after becoming entitled to the land they continued the same mode of pasturing and haymaking, for on the 15th April, 1605, every free burgess was allowed to pasture 'two kye and one nagge' or 'three kye' only. All others shall have 'two kye' only. If any commoner wants a 'nagge,' in place of his 'kye,' he shall petition the Guild and state the reason, and then he shall receive as much favour as the Guild can extend in that case. Again, every burgess shall have the first preference for their sheep, paying for every score of ewes and 'yielde sheape,' 8s., and for every score of lambs 3s. 4d.: all others (stallingers), who have regularly paid the sessments to Mr. Mayor, to pay 10s. and 3s. 4d. as above.

It is evident from these orders that the non-freemen, stallingers, or commoners, as they are variously called, had participated at first in the pasturage of the fields along with the freemen, and this without any question being asked. At

the meetings held for discussing matters in regard to obtaining the charter and sending deputations to London for this purpose, and especially at the rejoicings over the charter when it was presented in Guild for the first time, after it was brought from London, the commoners took their full share. From these considerations the non-freemen evidently considered this new charter to be as much in their favour as the old charters of the previous English Kings; and the freemen themselves, for a time, as evidently acquiesced in this participation. But different results very soon became apparent. Some held that the charter was granted to freemen only, after which the non-free element began to be gradually eliminated out of all right to the fields. At first all non-freemen were equally eligible to this right; then, only the ancient inhabitants, especially those who had contributed to the expense of the charter. But, in 1616, Judge Forster expressed an opinion that none but freemen had a right to participate in the meadows or fields. The burgesses did not deem this a final settlement of the question, for they prepared a case to lay before Mr. Smith, the Recorder, in 1624, from which it appeared that 'some of the inhabitants of the town, not being burgesses nor free of the Corporation, made demand of certain meadows, pasture, and feeding within the said fields and bounds.' Pretences of the title: (1) They are naturally born in the town; (2) They have been ancient inhabiters of the town; (3) They have freehold in the town; (4) They have been, or are, servitors in the town; (5) The Mayor and Burgesses promised, on the passing of the charter, that the fields should be for the general good of the town; (6) The grant to the Mayor, etc., was, as they allege, intended by his Majesty to all the inhabitants and town dwellers. (It ought to be noticed that they who allege this helped to pass the charter, and assisted the freemen to pay for it.) Recorder Smith's opinion is thus expressed: 'I am of opinion that the said pretences are insufficient in law. The said inhabitants cannot justify, by reason of any ye said pretences, to have any right, or title, or interest of common, or meadow, or otherwise, of or in any of the said lands, tenements, or meadows, or hereditaments granted to the said Erle of Dunbarr, or to the said Mayor, bailiffs, and burgesses respectively.' The stallingers seem to have acquiesced in this decision finally. The Guild do not seem to have acted hastily in casting out the commoners, for, in 1660, a number of stallingers were using great liberties with the fields, and pasturing cattle in them without leave. The late dissolved garrison were, likewise, usiug liberties. In 1692, all stallingers, who had had meadows for more than twenty years, were still to be continued; but all others were to leave their meadows, and these were to be given to younger burgesses. But, in 1720, all stallingers were

literally crushed out of the meadows. This was done for two reasons. On the one hand, the number of freemen had increased very largely—in 1610 there were 140, now 468. Then, on the other hand, the meadows had decreased, owing to numerous pieces of land being now enclosed and let as farms.

The liberality of the Guild was long displayed in admitting others to share in the meadows than those who had even an imaginary right. Sir George Home and Mr. James Crainston had harridge for their horses, as burgesses, because they had been good friends to the town. Thomas Foxton traded so largely with packs that he required seven horses to carry on his business properly; he was allowed four horses above his stint, 'for his trade is of great benefit to the town.'

'Widow Margaret Willoby (1710), in respect of her great usefulness to the inhabitants of this place, by reason of her skill and readiness in curing their Black Cattle, is to have a meadow in the town fields as formerly.' In 1722, Dr. Matthew Forster, Dr. Nicholas Ogle, and Rev. John Lowe, of Mordington, who resided in town, had each a cow's pasture in the Close, and a horse's grass in the out-fields, as burgesses had. About 1750, all the three Dissenting ministers in the town had meadows as burgesses, and this custom continued down to the end of the century.

On October 11th, 1605, the first attempt was made at parcelling out the ground in separate meadows. The reason given is as follows: 'To avoid the great inconveniences which have yerely hapened by reason of the confusion and disorder in taking the hay and devyding it amongst the burgesses and inhabitants of this Boroughe, and to the end to nourish peace and quietness, and ease the Magistrates of that intollerable toylle and troble yerelie hath fallen to them about the said divisions, it is ordered by this Guild that, before the 30th of November, there may be an exact survey taken of all the meadows belonging to this borough, that the said meadows may be proportioned out to several persons, before the 2nd February next, in such sort as to this Guild shall be thought to agree with equity and good conscience, in order that all discontent and murmuring may be taken away, and the state of the town advanced, and the grounds themselves bettered by good husbandry.' Notwithstanding these cogent reasons, the division did not take place till November 7, 1608, when 'it was ordered that the New Close, Nunslees, Lathome, and Hawked Cowe, shall be alloted to all the Burgesses who have not yet been Bailiffs, at two acres apiece, to pay for the same 4d. per acre; and if there is not enough land, then the south of Baldersbury may be taken from Grange Burn to the Bull Letch.' Thomas Barth and eight other burgesses were allowed each three acres of meadow-ground on Baldersbury; ten acres at the foot of Letham were

allotted to the four sergeants-at-mace, and a number (not stated) of acres were set apart for stallingers and some others in his Majesty's pay and divided amongst them by lot. The remainder of the meadow-ground was to be parcelled out amongst the other burgesses. Each burgess was ordered to pay 6d. for every acre of ground he held towards the charges of making a boundary-ditch between England and Scotland. Towards this a sessment was laid on the inhabitants generally (including stallingers). After the bound-ditch was made, the riding of the bounds began. In 1609 this custom is first mentioned in the Guild Book; in that year the riding took place twice; latterly, it was fixed to be, as now, on the first of May, and during all its history there have been the same customs observed as now obtain on that day: a race on the level ground at Canty's Bridge, a dinner in the afternoon to those who go the circuit. At that time, ribbons were provided at the town's expense for decoration of the horses that took part. The dinner was then paid for out of the corporate purse, but now it is paid by the Mayor.

Now that the land was settled upon the Mayor and Corporation, they had great difficulty in defending it in its integrity. Their great opponent was Sir James Douglas, Lord Mordington, whose property bounded with the freemen's. The part in dispute was that called the 'old walls and the stanks.' Mordington claimed them as part of the Maudlin Fields, the Guild defended them as part of the property gifted by King James, and, after great dispute and interference of law, the land was settled definitely upon the burgesses.

No sooner was this settled than the Laird of Prenderguest, John Hume, entered law with them for the New Farm at the Edinburgh Court. This claim was likewise successfully resisted. The Lord Governor of the Town entered law with them for the North Bells Fishery, and this they were obliged to defend, and, as with the other claims, they were again successful. After this year (1666) their lands, fishings, etc., remained undisturbed. Nothing further of interest presents itself under this head; the Guild continued to turn more land into farms as necessity required, and the practice of good husbandry increased, when it became apparent that cultivation rendered the land of more value than when it lay unenclosed and in pasture.

The Berwick Bounds extend from the mouth of the Tweed by the river-side for about five miles to Gainslaw, where the Bound Road meets the river. The boundary then passes northwards over the river Whiteadder, and continues in the same direction to the German Ocean, then by the sea-shore to the mouth of the river again. Of all the land within this boundary the freemen own about two-thirds, or 3,077 acres. The remainder, at first conferred upon George Home,

Earl of Dunbar, is now held by several proprietors. The freemen's part yielded in 1837, £10,000. In 1867 the rent of the treasurer's farms amounted to £4,156, and the stints, which were added, to £2,964; in all £7,120. In 1887 the former yielded £3,789, and the latter £2,934: total £6,723.

ADMISSION TO THE FREEDOM.

Admission to the freedom of Berwick was not only by inheritance but also by purchase. The first mention of it in the Guild books is about 1513, in these words: 'That all the sons of freemen, except their eldest sons, shall be made free, paying to the Chamberlayn or Treasurer 6s. sterling and all other duties according to use or custom.' The eldest son alone, at this time, possessed the right by inheritance. The Kings of England and sometimes the Governors of the Town and other noblemen tried at times to thrust friends or favourites upon the Guild and force an admission to the freedom, but the Guild generally resisted these attempts save where very manifest advantages were apparent. The price of admission by purchase varied according to the whim or the necessity of the Guild. The price differed for another reason—whether the purchaser was desirous of trading in the staple wares of the town or not. If the former, a higher price was attached to this privilege. All who were desirous of purchasing the freedom were obliged to possess land to the value of 40s. or goods worth £40, 'or ells to have security that he shall be so possessed within a year and a day or to stand disfranchised.' The admissions to the freedom were undoubtedly the most arbitrary as well as the most curious of the Guild's proceedings. A few admissions, as examples, will be inserted to bring these points fully before the reader: Robert Jackson, the first of a long line of Jacksons connected with Berwick, and who, under James's charter, were leading members of the Guild, was admitted to the freedom for 40s.; but he found he could not pay the sum in cash, so he put in pawn the following articles till he could redeem them again:

'Twelve fir dales, one yron chymney,* a new croke, a new tyke of a fetherbed and a bolster, a dressing ffyrme, a long ffyrme, a boutinge salte, a salte box, a knockinge stone, and a spynninge whele.'

'Mr. Thomas Morton Esquyor, at his request, is made a freeman by unanimous consent of the Guild. But because he was a good friend to the town and in consideracion of his Good counsell and assystance in our common causes as well past as to come, we do frelye allowe to gyve vnto him the annuyte and yerely

* A fireplace.

recompense of one half barrel of Salmon* during his life time forth of our towne chamber and revenue.' This is a unique action on the part of the Guild, to exact no fine, but really to give a yearly recompense for admission to freedom. The Mortons were a great family of merchants, opulent and powerful, and farmers of Murton estate. They afterwards settled in the county of Durham.

It was very different with Edward Mery, who was admitted in 1576. The town was indebted to this gentleman £53. They made him 'free of this Corporacion;' he generously cancelled the debt and gave £1 in 'monneye' to them.

Adam Orell was ordered to pay 5 cwt. of lead, good, able, and sufficient according to the weight of the town, or pay £10 into the town chamber. Adam was not to intermeddle with the staple ware of the town.

Sometimes favour must have been shown. Thomas Ffoxton paid £5 of a fine, and was not free of the staple, and at the same price Edward Walsingham was made free in the most ample manner. This suggests a relationship with Walsingham, Elizabeth's secretary. Richard Graydon 'was admytted to his fredom for one barrel of salmon, due to Thos. Handley, Fishmonger of London.'

'Thomas Sarisbrigge shall give the Towne in respect of his admittance ffouer leather Bucketts, twoe good and sufficient iron hooks.'†

Mark Saltonstall, who became one of the leaders of the Guild, was admitted for £5, Edward Arnold for £10, and George Moore for 5 marks, all at the same Guild. Stephen Jackson, in 1600, along with Thomas Satterhett, was admitted to the freedom, 'and they shall pay and give to the towne, one fair Carpet cloth, and a dossen of Quishions furnished at their equal charge.' The necessities of the Guild were not only supplied, but even their luxuries furnished out of the admission to the freedom.

On the 2nd of December, 1605, Edward Oxeley was fined £10 for his freedom; £5 at present, and £5 at Whitsunday next. 'The present £5 to be paid to Matthew Johnson, for the redemption of a bond in which the said Johnson standeth bound to Mr. George Morton for the releasing of certain plate of Mr. Morton's in the hands of Henry Hitton.'

In 1636 there was a great complaint about the way of admission to the Guild, and the consequent evil thus wrought in the towne:

* The half-barrel of salmon was regularly paid by letting a shop under the Tolbooth to Matthew Sharp for the yearly rent of half a barrel of salmon.

† The buckets and hooks were given, and stored up in the Tolbooth, in case of fire. These became in the next century a recognised tax upon every one admitted to the freedom; and in more recent times it was commuted for a money-payment of 3*s.* 4*d.*

'The merchants can get no prentices to serve 7 years so long as the freedom may be had at so small a rate as now it passeth. Likewise by this means men unskilful in merchandise sett up shopps to the undoing of themselves, through want of experience, and the loss of others that be skilful merchants. Whereas a few might live of that which but make a multitude beggars. It is therefore agreed that no person whatever shall be admitted henceforth under a fine of £20 stg., and no burgess whatever to speak in Guild against this rule under a fine of 20s.'

But the freedom was not very easily gained even before this rule passed, for, in 1632, Thomas Hope was admitted a freeman 'on consideration to be undertaken to glasen all the windows in the Tolbooth council-chamber and low hall for seven years at his own charges.'

From the year 1645 and onwards, the burgess-roll increased very rapidly through the admission by ticket of a great number of non-residenters who had simply paid a passing visit to the town, while taking part in the warlike proceedings of these stirring times. In the early part of the sixteenth century, not more than fifty or sixty persons were enrolled as burgesses, and at the end of the century, in 1597, there were only sixty-eight names on the roll. For a few years after the Charter of James I. was passed, the number increased rapidly till 140 was reached, when it remained stationary till the admittance of the honorary burgesses mentioned above raised it to 205. Until the Revolution of 1688, the roll increased to vast proportions, as many as 540 names being inscribed on it for that year, of whom 302 were non-resident. The list was purged next year, and the numbers reduced to 260, most of whom were resident in the burgh. This number gradually increased, till, in 1726, there were 482, of whom 148 were non-resident. In 1776 there were 857; in 1800, 948; in 1832, 1,118; in 1835, the last year of the Guild's existence, there were about 500 resident burgesses; in this year, 1887, there are only 290 and 96 widows who possess shares in the meadows, the decrease having been rapid during the last nine years. In 1878 there were no double meadows; now there are 110. When the freemen and the widows of freemen do not equal in number the meadows (496), the rest are shared according to seniority, thus giving double meadows to more or less.

We can scarcely pass over all the famous names that have been inscribed in the burgess-roll. The Duke of Berwick was among the first of the celebrated non-resident freemen who had no other connection with the town than honorary freedom. The Duke acknowledged the receipt of the gift of the freedom in the following letter:

'Gentlemen, I received your letter of congratulation, and thought myself obliged to return you my thanks for it. I am glad his majesty has conferred on me the title of soe loyale and ancient a corporation as you are. And doe assure you that so long as your zeal and faithfulness for the King's

service continues, you will not question the affectionall and favorable assistance in the power of, etc., Berwick.'

The Duke of Cumberland, of Culloden reputation, was made a freeman, as well as the Duke of Bedford in 1746. 'Mr. Secretary Pitt and Mr. Legge have been administering affairs so wisely of late, that it is resolved to present each of them with a Ticket of Freedom.' These were presented (1758) in silver boxes, with the Berwick arms engraven on the lids. Mr. Pitt 'expresses in the most polite manner' his satisfaction at being admitted to the freedom of Berwick. In 1792, Mr. William Wilberforce was admitted 'on account of the high sense which the Corporation entertain of his distinguished merit and worth in his bringing to view the enormous cruelties practised by the slave-traders upon the unfortunate inhabitants of Africa.' In the same year, Charles James Fox was admitted, 'for he has uniformly supported in Parliament the interest of the Protestant Dissenters, and because he exerted himself for the repeal of the Test and Corporation Acts.' On the 18th of July, 1815, R. Simpson and James Mills moved that Lord Cochrane receive a ticket of freedom. The Mayor and Robert Romer moved and seconded that the two gentlemen above be expelled the Guild for twelve months for moving such a motion. Simpson and Miles moved and seconded that the Mayor and Romer be censured for moving a motion contrary to the laws of the Guild.* The Duke of Wellington was made a freeman, and his ticket was ornamented with gold lace, and £100 was subscribed at the same time for the wounded at Waterloo. In 1821 Joseph Hume, the celebrated economist, was presented with the freedom, and came here on the 25th of September, 1822, and took the oath of a burgess. Lord Campbell became free of Berwick on the 2nd of July, 1823. Rear-Admiral David Milne, of Paxton House, was made free after the defeat of the Dey of Algiers. The right of presentation to the freedom was taken from the burgh at the passing of the Municipal Corporation Act, in 1835. Since the passing of the Act, all the sons of a freeman are free by inheritance on attaining their majority; and a non-freeman can attain the freedom by serving an apprenticeship of seven years to a freeman, and paying a bonus of £30.

I shall detail the lives of two of the freemen of former times, the stirring scenes of which will illustrate the manners of our forefathers.

* Cochrane became Lord Dundonald on the death of his father, and served his country for the long term of sixty-three years. It will be noticed that the difficulty in the Guild occurred when the false rumours about Cochrane had been spread abroad.

1. MARTIN GARNET.

Martin Garnet, a noted freeman, cannot well be passed over without lengthened notice. He was partially admitted to the freedom on October 18th, 1564. He at once passed into the front rank of the burgesses, and was admitted to full freedom on October 6th, 1570. From his case we learn that one partially free could act as a member of Guild. He became a bailiff in 1568, was an alderman in 1569, and had signed orders before 1570. In this latter year it was agreed by the 'Borde' that Martin Garnet 'sholde be fre in all things vpon a reasonable composition; that hys composition with the towne shalbe 40s., all thyngs past done and consydered.' This last clause refers to the difficulty the Guild had to restrain Garnet from interfering with the staple trade till he had paid his fine, or put in an obligation to do so. Garnet was by far the most stirring member the Guild possessed in the latter half of that century. He has left a distinct mark upon the records not to be obliterated with time. A few of the incidents in his life will show the character of a clever, rough, strong, and sometimes roistering member. On April 30th, 1572, two years after he was made free, he became M.P. for Berwick, and was to be allowed for every day, from his setting out till his 'retorne, 5s. per day over and above what he may bestowe upon learned counsell.' He took with him, (1) The charter of Queen Mary, (2) The grant of King Henry VIII. unto this towne, (3) The old wrytt sent to Berwick in the first year of Queen Elizabeth.* Garnet was absent at this Parliament seventy days, and his expenses amounted to £17 10s., and he had disbursed £2 to learned counsel, viz., sergeants of the law. Charters were commonly sent to London with the members in these times. Points of law or privilege were discussed and defended; and the assistance of lawyers was called in, when necessary, to help the parliamentary representatives. Next spring, in 1572, he was again appointed to go to Parliament, and to be paid as on his last journey. On his return home he was to be 'paid his money friendly.' He continued Member of Parliament for twelve years, and repeated his journeys very much after the fashion of those mentioned. He was accompanied by the Town Clerk, Peter Fareley, when more than ordinarily difficult work lay before him in London. His fee was not always paid in a 'friendly' fashion. After his home-coming in 1580, when he had been absent for seventy-four days and £24 13s. 4d. was due to him at 6s. 8d. per diem, he received £10 of 'Sessment' and £10 from Nicholas Pindlebury as the price of his freedom;

* (1) The charter of Queen Mary was only confirmatory of the earlier charters. (2) Grant of Henry VIII. was a distinct grant, and appears in Appendix IX. (3) This writ has not been traced.

and for the rest, which was £4 13s. 4d. or thereabout, he was to rest contented as paid.

This Member of Parliament and member of the famous Guild of Berwick did not always behave in the most seemly manner. On the 30th March, 1573, this list of offences was recorded against him. For his 'heynous abuses of the Queen's majesty and the office of her highness' mayoralty, *in primis*,—the said Garnet did divers tymes presumptuously refuse to acknowledge his dewtye to said Maior; but, meeting the Maior divers tymes in the streats, dyd shoulder hym with his cappe on hys hede and beinge garded with halbarts at his backe, as thoughe he had bene officer hymselfe, in despite of the Quene's Majesty's auctoritie.' Also to show his 'mallice and disobedience toward the said Mayor, he dyd most vniustly and vntrulye belye the said Maior vnto Sir William Drurye and vnto Edward Mery to the sclander of the office. Also he came to the tolboothe privileye armed and 'their dyd boste the Maior givinge vnto hym contemptious words contrarye his alleageance,' and said the next tyme he came vnto the said Maior he wold be better provided, and, beinge commanded to warde, he thretened saying, yt sholde be the dearest comandement evir he comanded. Also, being admitted a Member of Parliament for the town, he hathe lost our chief regalitye for the transportation of our hydes graunted vnto vs by the Quene's ma^tie^ and all her progenitors to the grete vndoing of this poor corporacon and their children.* Lastly, Martin appealed to the Court at York on the plea that he was 'damaged by the corporacon one thousande marks. Vpon the whyche vniuste alledgmente the towne was forced of their chardge to sende to answer this same whyche was vntrothe and to his reproche therin and to the hurt and damage of this town.'

The Guild upon examination of all these articles resolved that Martin Garnet is 'not fytte for the corporacon but ffor the same defaulke and ither disobedience, he is to be clerely disfranchised frome his fredome.' He was, in addition, 'fyned 20s. accordinge to our ancient orders.' For several months Martin remained contumacious, but in August, of that year, he humbly submitted himself to the authorities in the following manner: 'Ffor the matters yn controversy betwixt Martin Garnet and the towne, the said Martin haithe accordinge to the right honourable the Lord Presydent's order pronounced in these words to the Maior and his brethren: "Mr. Maior and yow the worshipfull his brethren, I do perceive that yow have conceived evil againste me, and yet in my hart I dyd never mynde to offend yow or your aucthoritye. And desiringe yow

* Robert Newdegate was Martin's neighbour in the Parliament. He got no blame for this loss, which was only temporary. Newdegate was not a member of Guild, and there seems nothing whatever known about him.

all soe to conceive of me, I submyt myself vnto yow besechinge yow that ye will restore me againe to be one of your socyetie, ffrom which yow have separated me, which yf yt pleas yow to graunte I doe truste yow shall all perceave I will not onely show myself alwayes obedient to yow and your authoritye which now for the tyme yow supplye. But alsoe for maynteynaunce and defence of this corporacon and the liberte therof to my power I will alwayes do that which appertaignes to my duetye and for the matters which are betwixt me and my neighbour Bradfurthe I have submitted myself to the order of my Lord Presydent, which humble submyssyon is willinglie accepted by the Mayor and brethren, and thervpon have received hym into hys former state and liberty amongst the corporacon."'

This was the second submission after the second disenfranchisement. The first I have omitted, owing to the imperfect state of the Guild books; but it was effected at the suit of the Earl of Sussex, and this second submission was at the instance of Lord Huntington, Lord President of the York Council. But no sooner had he put his hand to this order and submission than he broke out afresh. For although restored so recently, 'yet sithence and now of lait he haithe most stubbornlye and sediciously behaved himself in such unlawful and slanderouse maner towards the maior now beinge and corporacon without any iuste cause to him given, which lewd dealinge haithe moche redounded to the discredicte of our poore corparacon.' For this new offence, 'we clerely disfranchise and dismysse the said Martin Garnet,' from enjoying any right or liberty amongst us at any time hereafter. He was then put into warde, 'vntill he putt in sufficyente bonde for now occupienge or vsinge any of the liberties to vs appertayninge,' and on April 7th, 1575, Martin had the further temerity to arrest and vex two of the leading members of the Guild in London,* 'for action of trespas and debt.' For this Martin was to be kept in warde till he ceased all such actions; because he never attempted to try these actions in Berwick, but took them to a foreign court before he tried for justice, which was contrary all the customs and privileges of the town. We hear no more of him till September, 1575, when, for the third time, he was received into the Guild without either fine or remark.

But, alas! on July 26th, 1576, he was again disfranchised for his contempt and abuse of the privileges of the town. He had, again, entered suit in a foreign Court, and most shameful—'a forren balive, called a pursuivant, hath entered into the Burgh at his sute; and tooke upon him to mysvse the maior in words, and him pulled by the shoulder and coller, peaceably serving an admirall process

* Anthony Temple and Anthony Anderson were the two. Of Temple I have spoken. Anderson was long a leading member of Guild, almost contemporary with Garnet.

against him, which dealings have opened a great gapp in the overthrowe and breach of this liberty.' He had, also, called the Mayor a 'Violent Robber,' and 'other naughtye speche which he was not able to prove and justifye.' Therefore the Guild 'do agree that the said Martin Garnet ys not worthy to be one of oure fellowship, and therefore we do all agree and subscribe that the said Martin Garnet from henceforth shall stand *utterlye disfranchised for ever* from his fredome as not worthy of that priviledge amongste vs.' Martin defended this conduct of his in very fair words. He answered that Mr. Maior hathe violently taken away his goods contrary the Quene's Majesty's laws and customs of the broughe; and that the maior haithe contrary his duetye and othe, robbed him of his goods, and he haithe complayned to the higher courte for redresse, and that this Guilde is not to medle withall, and saithe that he ys not to abyde the order of the Guilde. The Guilde had evidently been too meddlesome in this last case, for Martin was no longer troubled on this issue.

He was a busy merchant in Berwick all the time that he was a political and civic servant. He was corn-merchant and salmon-dealer or cooper. As a trader in salmon, he came frequently before the Guild, which acted at that time more as a County-court than in any other capacity. Debts were frequently due to him for salmon, and he appears to have been a lender of money to his poorer brethren, but, whether as claimant for a salmon debt, or as a usurer in case of need, he was always a most inexorable creditor, and allowed no man to escape paying the uttermost farthing. Robert Bradfurth owed him £10, which Martin had paid on the condition that Bradfurth's scarlet gown was put in pledge. Bradfurth, slow to deliver his precious garment, was peremptorily ordered by the Guild to give it in as security, according to promise and covenant. Lionell Jackson had incurred a debt to Garnet under similar circumstances, and pawned to Martin his 'gold whissell, one silver salt, and one girdell of gold and silver.' After some time, Jackson tried to redeem these on a false issue, but, after proof led, Garnet was allowed to retain the jewels. About the same time he retained a prisoner for debt until death came to release him. Again, John Selbie, one of the Mayor's officers, he committed to warde, *in the prison on the wall*, which was out of the common resort, therefore dismally dull. Selbie was 'kept here for twenty-six days, when he complaned to the Maior and Alderman, who found that the poore man was very sick.' Knowing there was no remorse in Martin, Selbie pitifully begged release at the hands of the Mayor. Just then it was discovered that no official could be imprisoned for debt without consent of the Mayor, so he was immediately released.

Although Martin thus urgently demanded his pound of flesh, he was not so

ready to cancel his own debts, as witness the following. He was frequently Mayor; and a strange custom at this time prevailed, viz., that the Mayor was responsible for the custody of debtors, who were, then, kept in confinement in the low Tolbooth, or even in the Council-chamber. If any debtor escaped from the Mayor's supervision, the Mayor was understood to pay the debt himself. This custom put Martin into the anomalous position of being obliged at times to pay debts which another man owed. As might have been expected in such a man, he refused or hesitated to pay. The following was the case. Patrick Turbett was put in warde, at the suit of Thomas Winstanley and Henry Rugge. He escaped from Garnet's custody, and the plaintiffs demanded satisfaction from the Mayor. The Guild delayed giving judgment. A week elapsed, when the debts were proved at £42 and £21. The Guild could not compel Martin to pay. A storm had evidently arisen in it, and the members dispersed in haste, as no conclusion is recorded, nor did the officials append their signatures, an omission of the rarest occurrence Martin, immediately, appealed to the Court at York against the attempt to make him pay for the escape of Turbett. This being against the liberty and privilege of the town, Garnet was put in warde for the misdemeanour. A writ came from the Lord President of the Northern Court, summoning the case under his jurisdiction. The Guild, on April 14th, 1579, firmly answered, 'That forasmuch as our libertie ys absolute within itself and exempte from all other counties of England; and that the order, judgment, answer, fynnall determination of all causes, ples, and matters within the town, doe rest to be here decided, herde and ended; therefor we order and thinkes it very requisyte that Mr. Maior shall for the defence of our liberties and avoiding of all contempt that may ensue, cause the same letters to be answered before the Court of York by one or two of our brethren* well instructed, to declare the strength of our libertie and the truth of the aforesaid, and that the said Maior shall not enlarge the body of the said Garnett otherwise than he now ys.' For once the Guild took firm hold of him and forced him to abide their order. But he stayed in warde with a bad grace. On July 7th he was still under guardianship in the Council-chamber, evidently along with other debtors. On the above day, 'abowte eighte o'clock in the morninge, Robert Bradfurth, then beinge at warde, in the Tolboothe, have hapned to goe vpp from thence into the Council-chamber, where was likewise at warde Martin Garnet, and at the same instant tyme chaunced to be in company of the sayde Garnett, James Meares, John Haslewood, & Meredithe Griffethe, and at the coming vpp

* Peter Fareley, Town Clerk, was sent. Winstanley and Rugge, the creditors, were ordered to go likewise, but at their own charges.

of the saide Bradfurth into the Chamber aforesaid, being in God's Peace and in the Quene's Majesty's, and saluting the company with "Good morrow," the saide Martin Garnett, without any other speach given unto him by the said Bradfurth, did begyn in quarelling maner, "that that chamber was no plase for Bradfurth, and that he sholde not abyde there": who made answer, "he wolde be there in despite of him." Whereupon the said Garnett, without any further speach, removed sodenly from the place where he stood, and toke a cudgell staffe in his hand and came towards Robert Bradfurth and heaved up the same cudgell againste hym, offeringe to strike at hym. Whereupon each dyd drawe their daggers each againste other, and were parted and stayed by the other company from further troble. Whereupon the Guild doe find and presentt that the said Master Garnett dyd breake her Majesty's peace within the Councill-chamber against the saide Robert Bradfurth.' It will be observed that the Guild appended no fine to this misdemeanour. Garnet's haughty and overbearing conduct frightened them from extreme measures. He was, soon after this, liberated, and proceeded to attend to his Parliamentary duties. He was now an aged man, his turbulency ceased, the Guild-books no longer bristle with his name and with his uncouth initials. Save to recover a simple salmon debt, or get orders to go quietly to London to perform his customary duties, he no longer appeared in Guild. In 1582 he passed into the silent land. It is said by Raine that this man could not write his own name. True it is, he, generally, printed his initials 'M G' in a miserable scrawl, and, at times, used a wooden stamp for the superscription of the same letters. But once in the Guild-books I find the full name very carefully written, certainly not in the Town-clerk's hand, but whether in Garnet's it is impossible to tell. I cannot entirely follow Raine in saying he could not write. Bold, dashing, and hasty, he scrawled his initials* in the Guild-books; and it is just possible, in his calmer moments, he could use his pen, and that decently well. He was owner of the Tower of Buckton, which he left, along with his farmhold in Buckton, to Agnes his wife, and also his lease in Buckton, which he held of Richard Beele.†

2. HENRY BREARLEY.

Henry Brearley became free on March 19th, 1595-96, for a fine of £5. He very soon obtained office in the Guild. He was made a bailiff within a year, and, in 1599, became alderman for the year. He never rose higher in the civic scale;

* Many of the Guild members only put their initials for their signature. Robert Jackson did so, but in so neat a hand as to suggest that he could have written his name if he pleased. See Garnett's signature in Appendix XI.

† Raine's 'North Durham,' pp. 200, 201.

the rest of his life seemed to have been spent in asserting and maintaining what he considered his rights and privileges. While he was alderman he protested against the dismissal of John Brown, the Recorder, because 'a general dislike is taken against him.' This protest was entered in the margin of the Guild book, the only case of its kind in the whole of the series. His protest was supported by two reasons, first, because neither he nor his deputy was present at the Guild, and second, John Brown was not present to answer for himself.

Out of this dismissal arose the next scene in which Brearley figured. Thomas Parkinson, speaking in the Guild, was interrupted by Brearley with these words: 'What need we a recorder havinge so good a chauster,' 'and furthermore whatsoever Mr. Parkinson said the table should give no credit to it for he would stande no censure thereof.' Further speeches being offered concerning the attachment (of Brown) Charles Hasleopp said: 'If the attachment was done according to law he saw no reason but it should stand good.' Whereupon Mr. Parkinson replied: 'So the forfeitures of Bondes are taken att Westminster which is not so amongst us.' Then Mr. Parkinson proceeding to the matter, Mr. Brearley: 'Now shall we have Robert de Bruss's Law.' Then said Parkinson: 'Robert de Brus was a King, but you are a Knave;' and would have departed and so would Mr. Brearley. Both being stayed by Mr. Alderman, Mr. Brearley said: 'He thought it great storme to be called "Knave" by Tome Parkinson or a better man,' and have swared and said: 'That Mr. Parkinson was a shifting, cusening Knave, and he would prove it.' So then Mr. Parkinson said: 'that he was a runygate and he would show it under writing;' and further Mr. Brearley said, 'he was a cuseninge Knave and would pay his debts with nothing.' The courte adjudged them both to prison, and Brearley to pay a fine of five marks.

The next matter in which Brearley was concerned was an important one. He entered into co-partnership with a non-freeman of the name of John Harding. Brearley had bought the goods of Widow Pindlebury and had not enough cash to pay for them. Hence he asked Harding, who had served in the shop whose goods Brearley had bought, to share the trade. Harding and he had priced the goods contrary to law, for the valuation of such property was a perquisite of the bailiffs. For this double contempt of co-partnership and valuation he was ordered, 29th May, 1600, to pay a fine of £100 'as a light and gentle admonition rather than a just punishment for so fowle and dishonest offence, which ffyne, in case he refuseth to satisfy them, the said Guild have given power to Maior and Alderman to commit his body to prison till the same be paid. And because a person wilfully and advisedly perjured' (he had broken his freeman's oath, which prohibited

partnership with non-freemen) 'is not fytte to lyve and concorse in any Christian socyete, especially of tradesmen; therefore the said Guild hath disenfranchised the said Henry Brearley, all which punishment the said Guild have power to inflict as by the charters, practices and precedents doth appear.'

On the 19th June he was still being kept in prison; and then, asking what he was kept there for, he was answered because he wouldn't pay the fine. He stubbornly answered that he would never pay it. His prison was in the open tolbooth, for 'ther is a great resorte of people coming and repayring to him by means whereof it were thought good to restreyn his libertie; and, therefore, sending two of the Bayliffes to lock the dores of the prison, the said Bryerley in most raging manner did not only revile one of the said bailiffs in calling him "Villaine and Knave," but also did with a stole runne at him and did stryke him in the shoulder with his fyst, and wold have offered further violence if he had not been restreyned.' Brearley objected to the locked doors; he appealed to the Court of Queen's Bench, and a writ of Habeas Corpus was immediately issued against the Mayor and Bailiffs of Berwick, which writ they did not return. Brearley was meanwhile put into a closer prison, but the door was not locked, for he was now reviling the magistrates in the outer prison and calling them 'A Sort of Rascalles.' The Court of Queen's Bench did not relish this contempt on the part of the Berwick authorities, and fined them £2,000 for not returning the writ, and issued an alias Habeas Corpus which was not returned. The Court then ordered the fine to be estreated, and that a pluries Habeas Corpus should arise (subpœna 500 marks) returnable immediately before the Chief Justice in his Chambers at Serjeants' Inn. At the same time they issued an alias attachment against the Mayor and Bailiffs, and ordered Lord Willoughby, then Governor, to execute it returnable *octabis Hilarii*. The next day the estreat for the fine was suspended upon Henry Brearley being discharged out of prison and bailed to appear in this Court at the octaves of Saint Hilary. In Hilary term they were ordered to return the pluries Habeas Corpus, and, afterwards, the Mayor and two of the Bailiffs were committed and remanded upon interrogatories as in contempt; and two of them were ordered to find bail at the suit of Brearley before they were discharged. This was the order of the Court: 'Upon the recommendation of the Court by consent they determine that the fine of £100 set upon Brearley should be reduced to £10, and that upon his submission he should be restored to his freedom.' But he was to remain disenfranchised till he made his submission. The town both lost and won. The Guild was shown that writs were returnable to the Court of Queen's Bench in criminal cases, but that the fine of Brearley was legal, and that his deprivation of freedom was likewise legal.

Thomas Parkinson had been to London attending to this case, and returned to Berwick on the 3rd of April, 1601, and, on the 17th of April, Brearley submitted to the Guild. He was restored to his freedom on payment of £46 13s. 4d., and the payment of the £20 fine ordered in the Queen's Bench against the Mayor and Bailiffs 'in regard he was the cause thereof.' He was likewise to drop all causes in the courts against them. To all this he agreed, 'and so he was to receive his othe of a freeman again and open his shoppe in God's name.'

It might have been thought that Brearley had had enough of vexation and trouble over the Guild and its doings, and so remained a peaceable citizen for ever after. But the sequel shows us the contrary. The next case arose in a simple enough manner. The Lord Warden had removed to a new dwelling-house, and the Guild, willing to show their loyalty and good pleasure, gave the Warden a present of a 'Hoggeshead of Wyne valued at £6.' Widow Smyth, a poore woman, had furnished this wine, and could ill lie out of her money. The Guild was impecunious. They fyned one Robert Whitfield £5 for his freedom and thought thus to fulfil their engagement. But Whitfield could not raise the money in time. The following expedient was adopted. A ship with wood was in the harbour, loaded with 1,300 deals, and if the Guild laid a tax of 1d. a deal upon each one of the load, over and above the price of 8½d., it would thus be able to raise £5 8s. 4d., and, by the addition of 11s. 8d., Widow Smith would be cleared. Just when this arrangement had been completed, Brearley bought the deals and refused to pay the tax, and thus renewed his contempt against the Guild. Now Brearley for a while baffled both Mayor and Guild and showed himself extremely disorderly. Mr. Mayor sent for him very quietly at first, employing for this errand 'a burgess but no officer.' He sent Nicholas Bradfurth to ask Brearley to come and speak with him. Brearley replied 'he was at breakfast in his house and would be at his shopp shortly, but would not come to the Maior, for he heard the Maior was going to punish him for not paying his 1d. on the deal.' Upon his answer, the Mayor 'ymediatelie sente one Thomas Eaton, one of the Serjeantes at mace, to require the said Brearley to come.' Brearley had by this time come to his shop, and seeing the sergeant coming, 'retorned back to his house at a great pace, and gave two great knocks at his dore, and his servant not coming in haste so soon as he expected, he was going into one John Pattyson's house, his next neighbour, and in the meantime his own door was opened; and he slipping in, the sergeant came to him and told him that the Maior required him to come to him, and willed him also in the King's Majesty's name to come; whereupon he willed his man to shut the dore and bolte it.'

Now, Mr. Mayor, what do you say to that? No freeman could be apprehended

in his own house or in his shop, so Brearley meanwhile was safe. Some days after this, on the 14th July, 1603, the Guild being met, Brearley was sent for, and being asked to step down to the hall till his neighbours had considered of his offence, Brearley very quietly walked away home. On the Maior asking for him, it was answered, 'he was in his own house.' Two mace sergeants were sent for him, but the errand was fruitless; then one of the bailiffs was sent, who met him in the street, and commanded him in the King's Majesty's name to come to Mr. Maior. He told the bailiff he would come at his leisure. He did appear, and 'fell again into other extreme speaches as well against the Maior as dyvers others of his brethren.' But, when the Maior was going to pass sentence of imprisonment upon him, 'he opened the lock of the door and stepped down stayres to his own house where he is, and would not stay, although the Maior commanded him several times to stay.' They now ordered that he shall be apprehended wherever he can be found, and imprisoned. This finding of him came to be a difficult task. He was met one day by several of the authorities and commanded by them to come to the Maior, but 'he denyed to come and used many very longe speaches,' sending this message: 'If I be a Traitor or a full' (fool) 'lett the Maior . . .' and broke the matter. Wherefore Brearley was not caught on that day; nor did he come to the Maior and say, 'Mr. Maior, I am sorry for my contempt,' but he said it not. Then, as time went on, Brearley kept out of the way, for when he had occasion to 'ryde out of Towne he fledd the King's High Strete; lyghtinge of his horse, he ranne oute at the Castle porte and then was feryed ower at a place never used for passinge out of Barwicke in the day time; and coming in the same way at his retorne,' was only in contempt of the Maior's authority. Brearley sent H. Hitton, the Alderman, to the Maior; he would, if he pleased, speak with him, 'in his owne garden, in the ffieldes, or on the walles.' In the end there was no help for it 'but to apprehend him on the Sabbathe daye.' This was evidently against the practice, if not against the law of the time. But the Maior resorted to it for this among other reasons: he hoped that Brearley 'wold this day, if any, having heard God's word so plentifully preached by three godly preachers, become obedient and remember the othe of a freeman and be sorye for his prowd contempt, yet nevertheless the Maior knowing him a prowd man, without government in wrath and passionate to coller, wold not according to the guarden' (guerdon) 'of his grosse desert put him in the basest prison, nor in the inner Tolbooth, but placed him in the council chamber, a ffayre and lightsome place.' An hour or so after this the Maior sent Eaton the sergeant to see if Brearley would have his supper brought him, or other necessaries into the chamber, or if he would take any meat or drink.

Brearley answered gruffly 'No.' After supper the Mayor sent to see if he would have a bed or anything else; but he would not open the door, and simply gave outrageous speeches against him. The Mayor went himself next morning at nine o'clock with Robert Case and John Schotten and Laurence Harkor, the Town Clerk, to Brearley, and asked if he would have any meat. He said, 'No! for fear of poison!' To which the Maior answered, 'God forbid! But you may have it from your own house brought to you.' He refused all offers until he could eat meat in his own house. Nine days after this, on August 27th, 1603, Mr. Maior coming into the council chamber, where Brearley was still kept at warde, noticed that Brearley had now a dagger about him, 'which at the time of his comittment he then had not, nor any other dagger.' The Maior thinking it not fitting for divers reasons that he, a prisoner, should beare the same dagger, therefore required him to deliver it to him, the said Maior, which he refused to do. The Maior then demanded 'who brought the clothes he had on.' Brearley answered this frivolously. Upon which the Maior asked 'who brought his dagger into prison.' 'The same who brought the clothes,' he answered. The Maior then asked 'if he had any knives in his pocket.' To which he answered, 'If you have any right, search.' Brearley 'unreverentlie walking up and down with his hat on his head in the presence of the Maior, offered towards him, who commanded Brearley to hold off him. But he with proud words came nearer. The Maior commanded the two bayliffs to stand between them. Brearley then said, "The Maior has weapons as well as I," and said, "I will not reverence Hew Grigson, but I honor the staff." To which the Maior answered, "The staffe was geaven him to be known thereby." Bryerly alleged and said, "It was geaven to him in the Queen's name." The Maior said it was true, but said again, "It was since geaven by the King's Majesty, whome God long preserve with his royal issue and their noble posterities long to reign over us and all his dominions." Brearley said he did not believe it, and that he would come out of warde *nolens volens*.' The result of all this was that Brearley was kept in ward till he paid 40s. of a fine, and was then allowed to go at large.

Brearley was little heard of after this. He died poor; his long fight with the Guild had destroyed his trade. The last time his name occurs in the Guild books was when the Guild agreed to confer upon him 2s. 6d. a week out of their poor money.

CONDITION OF THE STREETS, CHIEFLY AS SHOWN IN PRESENTATIONS TO BAILIFFS' COURTS.

An immense amount of matter exists, showing the state of the streets and houses in the town, and what supervision the Guild exercised in all such matters of a local nature; but of this we can only give a few selections. We have still such information most tersely stated in the Bailiff's Court or Court Leet presentations. Of the business of two complete courts the most salient points will be given. The first is dated 1557, and opens thus:

'(1) We xii present that Mr. Marshall and Mr. Maior doth not their duty that haith not in tymes past executeth the Bayleves Courts which was done for the comonwelthe of this the King's towne.

'(2) Mr. Marshall doth not his dutye in soveringe* any nolte or shep to lye on the King's walles or in the streats by neght to the newnest† (*sic*) of the people by Scrye and larome.

'(3) That ther ought no Scots borne person nor aliant to come to the King's walles nor within forty feet thereof, but for ther so doinge to have the danger of the statuts at the plesur of the Captain.

'(4) That Mr. Marshall shall aught to see that everye man that hath eny grey hounds, spanyells in thys the King's toune accordinge to the statuts, and for all coarse Masteves and other vnresonable dogs to avoide the toune or elles to be slain by such person as shalbe chossen by Mr. Captain and the Counsell.

'(5) That Mr. Maior and his officers dothe not ther duties in seing the markit place without filth or dounge in so moche that they hawe the profit of the shopes of the toll Both.

'(6) The Maior is to blame for allowing freemen to dwell oute of toune, whech was never sithence Berwik was Englesche till now of lait.

'(7) Mr. Marshall and Mr. Maior shold cause ther serviands to mak a dewe serche every month ons for all for all Scots, vacabounds, and comon skolds that is found in the four baleves courts, and as oft as thai ar found to tak a fine that Mr. Captaine will tak of them.

'(8) Mr. Maior doth not his dutie that wil not cause everie man that dwelyth in the for streat to mak clene afor his own dor, and them that wil not then a stress to be taken of them, and the porters to carie it awaye. For ther is dyvers that hath dounghells befor ther dor both wenter and somer; the which is a shamfull seght in the King's toune.

'(9) Thers dyvers pit cassont‡ bothe on the grenes or in other dyvers places in the streats of thys toune, as it apers which is daungerouse whell§ thaie be filled againe.

'(10) Mr. Maior doth wrong his offycers that thai mak not a dew serche ons in the wycke bothe of Syes‖ of brade and aylle messoures and wights a cording to thold costeme of this toune; that is to saye, whyne malt is at xs. ye boll or ther a bout then thai maye sell a quart for a penye of good aylle, and whyne it is 8s. ye boll then theie maye sell iij pynts for a peny, and when it is at 6s. ye boll then a Pottill for a penye, and if God send the corne better cheap, so to be ordered and ratyd in lyke case.

'(11) Mr. Marshall and Mr. Maior doth wronge that tholles other gruse or swyne or duks goinge in the King's stretts.'

Then the Jurors examine the town for 'Scots vacabounds and skolds,' and enumerate them in the different streets:

* Suffering. † Nuisance. ‡ Dug. § Until. ‖ Assize.

'The Wister Laine. Stephen Ederington kepethe a Scots woman, Henry Maners hath a Scots woman to his maide, and Nicholas Denton (Maior) hath a Scots woman in his house. Briggate. John Watsone the Porter hath a Scots woman to his wief, and dwellith vpon the walles. Also Lourance Billes wief a Scotswoman, and her ii. sons and her doughter are evell dispossede. Also Mr. Bayverlaie a Scots woman to his wife, and his servant a Scot; likewise Mr. Ryve, Mr. Vollenteyn, and Wm. Barber hath Scots women for wiefs, and Olever Selbe a Scots woman for a noris. Thomas Walker kepethe a nothers man's wief. Sandgate. Six Scots women are mentioned, and Esbill Anderson, a scold of her tounge. Ester Laine. There are 3 Scots women, and in Thomas Spyners two vacabounds, and in Widow Garners two vacabounds, and one in Ralph Harysons.

'The Nesse. There are nine Scots borne persons, and Elizabeth Browne kepeth ane unlawful house, and resort of men vnto the house which treobles all her neghtboures with her noughtie Rull. All the Nesse is covoured with casting of Asse and other vnlawful thyngs, thrugh which is the comon stret and cart waie vnto the Palles. In Raton Ra there is on Rosses wief is a scold of her tonge and a vacabound, and in the house with Wedowe Milne. Widow Hagerston kepes on vnlawful hous, as drawing a resort of men at vnlawfull tymes of the neght against the orders of this tounе.'

'In Crossgate two Scots borne persons, and John Jackson kepes dicing and carding in his house at vnlawful tymes of the neght.

'In the Scotsgate two Scots women, and In Hyde Hyll there are seven.'

After this duty was faithfully performed the bailiff took a wider view, and presented:

'All the fields without the gats is comon from the mouving daie to Candlemas daie saveing the Castle Hills, and at ther ought to be no pyndyng. There ought no sheap to go within thes filds, but only the stent, which is a great impoverishment to all. No cattle ought to go forth of the cowgate, but only the stent, nother wynter nor somer. The noterd (noltherd) doth not his dutie in keping nout, for he louks not to them, but sets some tyme a lad, and goeth not hymself to the fild to do his dutie. The young brome of this town ought not to be cut, for it is a comodyte to this town.' (I suppose it was used for firewood.)

They now set down various griefs for consideration:

'The xii fferyng men beyng to gether hath complened them selffes of sertayne greves as here after folowethe:

'We ar greved that Mr. Captayne of Barwike and Mr. Captayn of Northam doth constrene the fysshers of Twed to breake the Sabbothe day, or els they wyll not suffre theyme to fysche be the weake day, but will take away the cobbles or netts.

'Also that Shyppes goyng and cumyng owt of Scotland and into Scotland dothe not come to Barwike and then bye, sell, and cvstom, a cording to the Kings grantt.

'Also we compleane of swch as slay the kepar Sawmon and the Smolts betwene Myghelmes and St. Andrews day.

'Also we wold hawe xii men alowed to be obedyent vnto the office of the Maralltye wharby the Kings Magestys serves may be better sett forward.

'Also we ar desyrus to hav a Scole Master alowed in thys King's Magestes towne of Barwike.

'Also we ar desyrus to have the holman wole bylte vpe which wold be a great helpe to thys towne.'

This last was the Holdmanwall which guarded the Haven, and was built along the ridge of rocks upon which Elizabeth's Pier was afterwards erected, and which occupied the same site as that of the present pier.

To keep the streets clean:

'We xii wyll the porters shall mayke clene the markett place ij tymes in the weyke and the stretts of the sayme everie Satterday att neyghte, for the wych thaye shal haue for so doyng of everie howse of thys toun ijd. in the yere, and that everie howse to swepe togethir afor thir dors agayn the Porters cum, in payne of ijd.'

A few years after the above, in 1578, it was ordered that a common scavenger ought to be appointed for the 'swete and clenely kepyng of thys toune.' In the Earl of Bedford's time such an official had been, but there was none now, and the consequence was that 'heapes of clay, filth, dung, and ashe lyethe in everie corner of the toune.' But the scavenger made no impression, for next year

'There is great slacknes that suffereth a fowle and noisome chaunzel to remaine so filthye all along Sandgate. All the layne and strete extendinge from Walkergate upp towards the mydle mounte lyethe verye noysome and filthye, so as noe man can pass to the rampyr, especiallye in the nighte tyme, in defaulke of pavement. An empty messuage is used as an ashepit to the annoyance of the whole streate. Mr. Maior should see to amend it. The water streame issuing frome the well at the grenes is turned from its accustomed course by the bleaching of clothes in somer, and causes and bredes myres and boggs to the hurt and annoyance of the whole toune.'

The pavement had not been very strong, for 'Shodd cartes ar not alowed in the strets otherwyse no man can kepe his cassey hole.' The following was a 'noughtie' practice: 'The servants in Soutergate swepp down the myre and filthe and thereby dothe stopp and cheke the lower end of the streat which is fytt to be reformed.' The same difficulty occurred in Easter and Wester Laines. Between the heat of summer and the filth of the streets a clear connection was shown to exist at that time. For instance, 'We xii fynd that the great dunghill near the churchyard is very noysome and had neede to be amended before the heat of somer.'

At that time, provision required to be carefully made in case of fire. The houses in great measure were wooden and the firewood for the most part whins, heather, and broom. Concerning 'Sodden Fyre' it is said that many good orders have been found in this town, and one in particular is good, that every Councillor and Alderman and other officer should have in their houses two 'leathers' and a hood. The council 'should cause to be made one howke of a stone of iron with a rope of thurtye fathome, the Mayor to have another maid and both to be kept in Toll-boothe redy for sarvice.'

The lighting of the town for this century, the sixteenth, was performed as follows: 'All the inhabitants shall, from the 31st October till 2nd of February, provide a lantern and a candle to hange forth in the night from the houres of six of the clock till nyne.' That Raphe Yonge, the bellman, shall be appointed to call on the same, and 'whosoever doth not hange forth a lanthern and a candle accordingli shall pay for the defaulte 4d.'

Not many houses are mentioned in detail as to the rooms and the furniture they contained. Once we have details of a large house. It was called my lord's lodgings (either what came afterwards to be called the Governor's House, or what was known as the Palace—the residence of the Kings of old. I prefer to fancy it the latter). It consisted of the following rooms and outhouses:

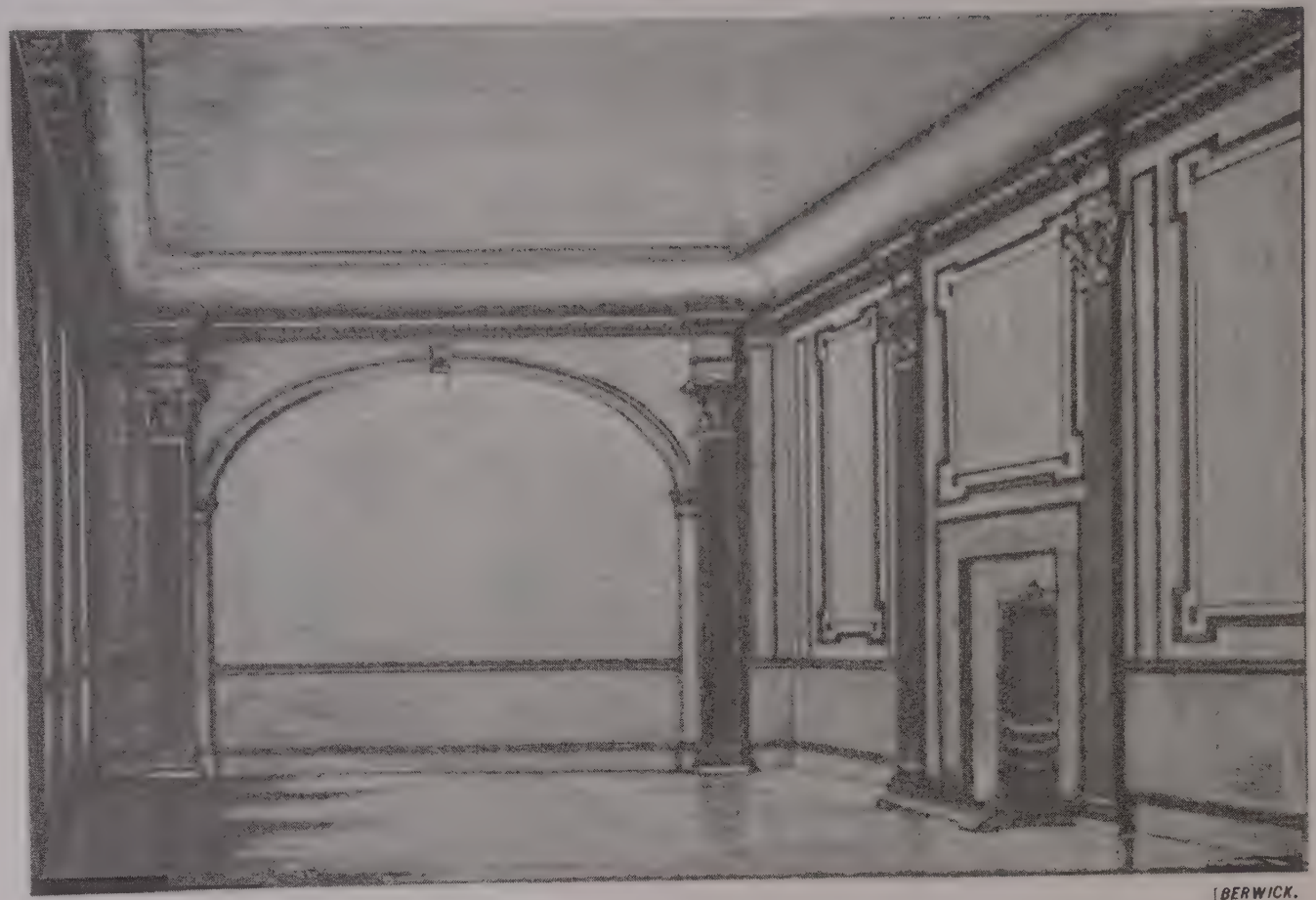
'The kitchen, the courting, the lower hall, the wyne cellar, twoe pantreys, the great chamber, a little chamber between the chappell chamber and the great chamber, the chappell chamber, and studdy in it, the wolle chamber, the garrett over the chappell chamber, the high studdy, the old bed chamber at the north end of the great hall and the study, the gallery at the east side of the said bedd chamber, so ffarre as the said chamber extendeth, one study in going forth of the great chamber, a chamber going to the store chamber, the store chamber, the wardropp chamber, and a studdy chamber within the same, the highest studdy, the garrett over the store chamber, the armoury garrett, the stable and half the garden.'

The whole of this large house of 21 rooms, besides outhouses, was let for a term of 21 years, 'at a yerelie rentt of £10.'

In two instances we have inventories of the furniture* in use in houses in Berwick—one of them the household furniture belonging to Mr. Henry Brearley, the other to Mr. James Melville, who was a preacher in Berwick about 1580. Mr. Brearley's inventory is as follows:

	£	s.	d.
In the Hall:			
One Table, with frame of Oake -	0	3	4
One fforme of ffirre - - -	0	0	4
One chayre - - - - -	0	1	0
Three joint stooles - - - -	0	1	8
One iron chimney - - - -	0	3	4
In the little Buttery:			
A payre of Gantrees, a little halfe ffirkyne and an old hamper - -	0	0	8
A dresser stoole - - - -	0	0	3
In the Courting:			
A piece of a salt Butt - - -	0	0	6
In the Stable:			
A racke and manger - - -	0	3	4
In the Inner Backsyde:			
Old sparres, watles and daylls - -	0	10	0
A hen coope - - - - -	0	0	4
Certen brycks - - - -	0	3	4
A lether - - - - - -	0	0	10
In the Celler:			
A ffiake - - - - - -	0	1	0
Tenne halfe daylls - - - -	0	1	0
One old table and fframe - - -	0	0	6
An old bynge - - - - -	0	0	8
In the Lofte:			
Ffive trusse of hay - - - -	0	5	0
In the Kitchen:			
One iron chimney - - - -	0	3	4
One payre of racks - - - -	0	1	0
A spitt - - - - - -	0	0	6
A payre of crooks - - - -	0	0	6
A payre of jibcrooks - - -	0	0	3
A payre of tonges - - - -	0	0	2
An old murrion - - - -	0	0	2
One olde brush - - - -	0	0	1
One table chayre - - - -	0	1	0
One olde dressing borde - - -	0	0	4
One iron drippinge panne - -	0	0	6
A table - - - - - -	0	0	6
A vessel heucke - - - -	0	0	4
A stone morter - - - -	0	0	4
A salte box - - - - -	0	0	2
One olde brasse potte - - -	0	1	0

* Some illustrations of furniture and interiors of houses are here inserted.



J. HERRIOTT, Photographer,] [BERWICK.

CEILING AND FIRE-PLACE OF A HOUSE IN TWEEDMOUTH.

	£	s.	d.
Twoe pewther plates	0	0	6
A settle	0	0	6
A cubborde	0	2	6
Ffower shelves	0	0	8
A pewther salte ffatt	0	0	4
Three stone potts	0	0	3
A doz. of old trenchers	0	0	1
A knife case	0	0	1
A milke syle, a pepper box and a hayre brush	0	0	2
A glasse case	0	0	6
In the Chamber over the Hall:			
One standing bedsteade of waynscott	1	0	0
One chayre	0	0	4
A litle table and fframe	0	0	10
A mapp and another picture	0	0	6
Twoe footpackes	0	0	6
In the Chamber over the Kitchen:			
One ffeild bedstead	0	2	4
A fetherbedd	0	6	8
A payre of old lynnen sheets	0	1	0
A fforme of ffyrre	0	0	6
A chest of ffyrre	0	2	0
A wicker chayre	0	0	4
Twoe pictures	0	0	2
Six glasse bottles	0	1	8
Old hangers of blew cloth	0	1	8
A blew rugge	0	3	4
A table and frame of oake	0	1	8
Another of oake	0	0	6
One chist of waynscott	0	2	4
A little iron chimney	0	0	6
One old trundle bedd	0	0	6
In the Chamber over the Great Chamber:			
A litle bedstead of ffyrre	0	2	0
A bedstead of ffyrre	0	1	0
A hamper	0	0	4
A little flock matres	0	0	6
An old presse	0	1	6
Total amount	5	6	10

The inventory of Mr. James Melven, or Melville, follows. It is more valuable than Brearley's, and represents a better class altogether:

	£	s.	d.
In the Hall:			
i Fir table and frame	0	3	4
ij Litle small fir tables	0	2	0
j Litle old corner cubbert	0	1	4
ij Shorte fir formes	0	1	0
j Scots needle worke carpett	0	6	8
ij old little gren chares	0	0	8
j old screane	0	1	0
six thrume cushens	0	6	0
In the Chamber and Parler:			
j short table and frame	0	5	0
j corner cubbert	0	2	6
vj Leather chares	1	0	0
x Scots nedlework quishens	0	15	0
vj Gren carsey quishens	0	5	0
ij Picklers	0	2	0
i bed stead with curtens and valence	1	0	0
ij Feth'beds, j bolster, ij pillowes	3	0	0
j Tool twilte	0	6	8
j Grean rugg	1	5	0
j Pair blankets and j Scots Plad	0	6	8
ij two bedsteads with furnisheings	1	6	8
j small trunke	0	3	0
j Scots nedle work carpett	0	6	8
ij small cabenets	0	8	0
certaine books worth	2	0	0
His apparrell	5	0	0
Linen sheets, table clothes, pillowberes and napkins	3	10	0
vj silver spoones	2	0	0
j silver kan	1	10	0
In the Citchen:			
j bras pott	0	4	0
j Iron pott	0	2	0
ij Small pans	0	3	4
ix Pewter dishes	0	9	0
iiij Small Saucers	0	1	0
ij hand basons	0	2	6
ij Pewter candle sticks	0	2	0
j old quart pott	0	1	4
j pottle pot	0	3	4
ij Chamber pots	0	2	0
j chaffing dishe	0	0	1
Summa	£27	6	10

The second, and more elaborate Court Leet, is of such length (89 presentments) that it must undergo rigorous curtailment. It bears date June, 1616:

'1. Many in the burgh seldom or never go to Church on the sabbath day, nor sermon daye, and are supposed to be recusants contemning the sermons and services, nor receive the communion yearly. Laurence Stub ought not to brew or keep an inn because he receives not the communion yearly. These ought all to take the oath of allegiance, for there is reason to take their examination on behalf of his Mat^ie^ supremacy, his crown and dignity.

'2. We think no one ought to keep open shop to sell ware on the sabbath day till the service of the day is finished. Many of the shops keep open till the bells are rung, to the great dishonour of God. The Maiors of 1613 and 1614 are to be blamed for not executing their orders duly in this matter.

'3. Disobedience to orders is becoming very prevalent in this town, and especially in attending on juries and private Guild. Very few have been holden during last year on account that the members won't attend, to the great discontent of those who come, and can do nothing. Mark Saltonstall is to be fyned for this, for he, being Maior, ought to have punished the offenders, and has not done it.

'4. Foreman of the Jury to be fyned for not giving up the Court Leet to the Jurors last year.

'5. The Constables are presented for not keeping the watchers at their work, making the town pay for nothing.

'6. There is great decay about the walls and fortifications and Rampiers, which grieveth many of the inhabitants to se the walls pulled down to build men's houses; faulty in this we present Mr. Thomas Parkinson for taking down two battries adjoyning Megg's Mount, and for taking down a long house beside the churchyard that belonged to the town, which he has converted to his own particular profit; and we also present Mr. Robert Jackson for pulling down the Brick and stones in the Vault at Hunsdon's Mount, being formerly made for the strength of the towne. (Parkinson and Jackson are two leading members of the Guild, and are most blameworthy in these matters, leading others to do the same.)

'7. We present John Orde the younger for taking away the dyall that was at the New Gate, which is now standing in his garden, as also the same hath taken away the stone dyall that Thomas Smith sett up on the church wall, which was a benefit to all persons that came that way.

'8. Thomas Parkinson and Michael Sanderson are presented for encroaching a coale yard at the passage into the Maison dew.

'9. We present the Maior, unless he will counsell the Berwick yard to be used, and not the London yard, which has been used in the toun.

'10. Firkins and fourth parts for measuring apples, onions, and carretts in the shops should be made just.

'11. The kenings* ought to be tested and sealed with the just kening kept in the Tolbooth.

'12. White fish should not be sold to strangers nor by wholesale to any one, before the toun is served and the poor people.

'13. Reid Fish should be served to the toun first before they are cured, and all coming to toun should be presented in the market; some we find coming from South side of Tweed, sell in Tweedmouth or in Bridge Street, which is a great wrong.

'14. Divers sums of money as well as collections are collected for the poor of this toun. Therefore divers youths fatherless and friendless who are now here should be presented by some Court as

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* Kening = kennen, kenning: half a bushel, or two pecks.—Brockett's 'Glossary.'

apprentices, that they may not always be burdensome to the toun. They learn a trade that they may also shun divers damages that idleness or necessitie might drive them to. In which God would be well pleased and the toun greatly eased, which thing we request may be considered of.

'15. We present the Milner of the Wind milne for grinding corn in time of Divine service,

'16. And Robert Archibald and Thomas Crispe for keeping Geese in the High Grenes against order.

'17. The Toun Bridge is in great decay, which must be amended, for if it fall doun it will be a great hurt to this poore toun.

'18. We find that the Bakers of bread, their houses are very dangerous for hurting their neighbours by fyer, by reason when they are heating their ovens they have oftentimes much dry hadder lying beside their oven's mouth; for preventing of hurt that might ensue it were good their thatched houses were emplastered within with clay adjoyneing the said ovens, or els all the ovens and chandlers' houses were in a place in the toun by themselves, and in the mean tyme it were necessary Mr. Maior and Justices should take a view thereof, that they might give warning to the owners to make their houses defenzible from fyer hereafter.

'19. For defens of Ffyer all freemen who promised to give two bucketts must implement their engagement at once or els submit to fine, and also that ladders, bucketts, ropes, and hookes should be hung in the Tolebooth or in some convenient place in case of sudden fire. We hear Rogers Dyner's Made was verie careless herein whoe stook upp a candle in the wall, the house being full of hather.

'20. We present that the Pant at the Pennyless Bench is not sufficient for keping water, and greatly disordered by watering of horses, washing of paunches, and other filthy things there.

'21. The haven's mouth groweth narrow and shallow as we think, because the gutt at the Pear end where the ffishers boats goeth out is enlarged, and because of rubbish thrown over the walls into the river.

'22. Divers wells are verie dangerous because they ly unbuilded about; the well at Thomas Moors' door in Castlegate, the well before Bartie Thompson's door in Soutergate, and before Michael Garth's door in Crossgate.

'23. The Highway between Castle Hill Dike and Spades Mire is grown narrow and impassable in Winter, which might be amended by clenging the Watercourse in the Calf Hill, which has never been rightly clenged since it was cast. The water is turned down to the Castle Mill, and it is supposed that the Miller has to do with this bringing it through the Horseman's batt.

'24. Divers places in the fields are troublesome to pass at the fitt of the dike at Castle hills, and a little above Colehugh at Grangeburn; as also the Mole hills needs be spread every spring, if every man wold send his servant some light holyday to do the same.

'25. Many of our neighbours have no conscience as to what they eat of our lands. They eat up the borders and edges of all the meadows, greatly to our hurt.

'26. Mr. Maior to receive certain sums of money, as of old time it hath been accustomed, and bestow it as well for the good of the town, and if any arrears be wanting, then each maior to make good his own year's money.

'27. Mr. Parkinson is wrong in that he takes one of the best bulls to the Madlin fields, and others drive the bulls to the other fields all about, to the great wrong of the town cattle. We think that the kyne in the Madlin fields and other fields should as well pay 4d. a piece for the finding the bulls as the town cattle.

'28. The Field Greives, Pynders, and Nolthirds should have all their meadow-grounds allotted alongst the higher Cocklaw, by which means the Scots would be debarred from any comoditie there as we think. (Self-defense.)

'29. The quarter-books should be examined as to what new-comers are in this town; and the

names of the brewers should be known, which Wm. Gray can shew, for none ought to brew without licence.

'30. The Pinders and Field Grieves are not so dilligent this year as they ought to be, in allowing other men's horses to depasture in the fields, and Scots people to cutt and carry away the aftermath.

'31. Divers Swine goeth in the streets and rampiers and High Grenes, to the annoyance of the neighbours.

'32. We find that the Scots that bringeth in the straw ought to sell the same att the head of Castlegate, and not to be suffered to goe up and down the streets with the same.

'33. Dung is cast down in various places in the toun, where it ought not, and the maids and others often put great quantities in the streets, to the annoyance of all.

'34 We think Mr. Burrell was at fault in taking down the Stone Tower of the old Bridge before the new bridge was erected. And some think, as we do, that the workmen are not diligent enough at their work, and so Mr. Burrell should look better after them.

'35. We find that a great parte of High Grenes Ramparts and Windmilne Hole in the Somer season groweth so full of thistles, hemlock, henbane, and other noisome weeds as is hurtful to the neeghbours and dangerous to neat cattle, and should be destroyed, else they will multiply much more. Deep holes are likewise dug in the ground very dangerous for cattle. Dunghills are laid down where cattle ought to feed, and swine and geese are allowed to go about and abuse the same.

'36. There are many ale brewers who do not sell a quart for a Penny as they should do according to the statute, and others who brew without licence. The Maior should amend all this. There ought to be 4 or 6 ale tasters for the assise of ale in tipling houses.

'37. Inmates and strangers all come in great numbers into the toun, and take liberties in our comons, and stint our grass for our cattle, and this ought to be examined at once and remedied.

'38. We find that the Bakers of Eatall make the bread so little as that they sell 13 for 12. It is a wrong of the toun to suffer them, for one will buy a loaf that has not money to buy 12. We desire this may be amended. They sell it comonly to Eppy Taylor, Meg Stilly, Kate Burrell, and others. Also the toun bread is very little, which we refer to be amended.

'39. We present that the Butchers often go to Castlegate on a Thursday, and buy the cattle brought in by Scots to kill and the quick sheep and lambes that use to be brought to the markett at the Pennyless Bench, and so forestalls the Market before the toun be served. They are worthy to be fyned.

'40. The Country butchers sell carcases of catle and sheep without the hides and fells, whereby if any of these goods were stolen the owners might happily find them out, and it is more fitting the said hides were sold to this body Corporate and no place else, seeing the flesh of the said beasts is still heire.

'41. We present James Thompson of this toun for putting in one cale leefe in the call of his Mutton to hold out the Sewett, that it might seem more than there was, which is worthy of punishment, and when he was reproved he said he would do so still.

'42. Thre or four skilfull Butchers ought to view the flesh in the Market every Satterday to see that no 'Misled Pork' or 'Carrion Beef' or 'Blowne flesh' be allowed there. Richard Kiffard would be a fitt man to look after the Markett.

'43. John Horne, a Scotchman, levies 2d. of every sheep and 10d. of every cattle slain in the Scots market, a thing which ought not to be suffered within the liberties of this toun.

'44. The Gainslaw people have a fold into which they pin our Cattle, which is against the order of our Town, for their ought to be one common pinfold.

'45. Those that brew do great wrong in that they keep in their houses many drinking at unlawful hours, sometimes all the night and on Sabbath dayes, and none ought to drink in tipling houses after

9 o'clock at night nor in tyme of Divine Service. Those that sit and drink and those that sell to be fyned.

'46. Whereas we were charged on our oaths to present any man that had two wyves, or any woman that had two husbands, we know of none, except it be William Edward's daughter Anne.

'47. Persons offend in casting lynt hemp and other carion into the stankes, corrupting the waters, which would be punished.

'48. John Hodgson, who had the revenues last year, is worthy to be fyned for taking 1d. of Scots corne sold to a freman, a custome not granted by a general Guild nor warranted by Statute.

'49. We presented Alex^r. Haliday for not using his wife well, and his wife for a very scold. They doth disquiet their neighbours.

'50. We present Widdo Bastian and her daughter for receiving menservants to drink till they be drunk, trobling her neighbours.

'51. The four porters and their wives come not to Church, and are very unruly, and will be scolding in Ancient Lee's House, very often at unlawful times. The said Porters and Alex^r. Halliday used to play very often at cards, in Catherine Forster's house, in Divine Service.

'52. Many poor pensioners piteously complayne that John Sheel gives poor bread at 2d. a loafe to them, and when they sell it again, as many are forced to do, it will not give them two aichisons,* nor is it wholesome for man's body. We hope your good administration will give contentment to the poor.

'53. John Lawrey, Churchwarden, is guilty in that he will not bring to Court Leet the names of those who absent themselves during Divine Service, nor those of lewd women, nor those guilty of other misdemeanors. He has already brought them to Mr. Maior, and he (the Maior) takes no notice of them, therefore he will not again trouble himself.

'54. Within a few years many lewd women have come to toun who have a bastardly brood behind them, and there are divers women . . . . whose names the Churchwardens will shew. There is more beggarly Bastards remaining in this toun than in any toun in England, considering its size, for there is no punishment inflicted on such offenders here, as in other places.

'55. We present, and think itt very fitting, that there should be baskitts sett up on poles att such places where rubbish and ashes ought to be laid; and that such as cast the rubbish in contrary places should be punished for the same.

'56. Mary Sneed, wife of Geo. Mack, is a bad woman and procurer of others, for two women-servants of Sir Wm. Bowyer were received into her house who have misbehaved. If such a bad woman be suffered to live here amongst us, this toun will become odious both to God and Man, and will be a Sinke of Sin.

'57. Townspeople doth buy goods of Ships before they have lain 3 markett days, which is contrary to orders. A man bought muggs in this way. The Maior lets slip these things. We hope he will take care in future.

'58. Thomas Moore discourages shipmen from coming in here, which is very bad; he ought rather to encourage them. A ship with apples and onions he caused to pass on.

'59. We present that one of the wheels of the great bell is in decay, and cannot be rung when any nobleman comes to toun unless it be amended.

'60. We understand that Mr. Maior is rightly informed of those who took down the Search House and that took away the dyalls from the Newgate and from the church dike, as also those that wilfully refuse to contribute to the relief of the poore or to pay bull money, acridge money, and many

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* Atcheson, Atchison, a billon coin, or rather copper washed with silver, struck in the reign of James VI. Its value was 8d. Scotch, or $\frac{2}{3}$ of an English penny (Ruddiman). Its name, Atcheson, was from the Master of the Mint (Jameson).

other good orders made for the good of this borough—by whose disobedience and obstinacy many others of better disposition are encouraged to do the like, and therefore we present that the only cause of these misdemeanors and contempt of Government used by many is the lenity of Mr. Maior and Justices not punishing such as wilfully offend, whereby the town is greatly out of order, for seeing God hath put the sword of Justice into the hands of the Maior and Magistrates, they ought to draw it out for protection of vertue and punishment of vice. But being timorous or loath to displease some that wilfully offend, it doth encourage the wicked to persist in their wickedness and grieveth others that be of a better disposition, whereby God's anger increaseth against us, and therefore we request, in the fear of God, that there may be a reformation, or else this poor toun will come to great misery.

'61. There are such notorious Sins crying to God for Justice committed in this toune going unpunished. It is no wonder, as the Prophet saith, but that the Lord hath a controversie with the inhabitants of this toun, because there is neither truth, mercy, nor Knowledge of God in the Land; but swearing, lyeing, killing, stealing and whoreing, therefore every one that dwelleth therein shall be cut off, and I will change their glory into shame: Hoseah iv. 1, 2, 3.

'The Sins of Sodom are committed as pride, fullness of bread, and abundance of idleness—Ezekiel xvi. 49; and also the prophaning of the Lord's day is committed. The Sin of Drunkenness is committed in such a high degree as is strange to be heard of, so that drunken men and drunken boys in this toun will not spare to raile, but beat justices of peace, bailiffs, constables, Serjents, and there is little done to them, except it be putt in prison for a tyme, and they and their companions meet and drink together as freely as if they were at libertie. So that the people are become now as they were in the days when there was no King in Israel. Every man doing as it seemed good in his own eyes: Judges xvii. 6.

'And all these sins increase heir because Mr. Maior and Magistrates sett not themselves to punish sin as they ought to doe, and, therefore, as you have caused us, and as we were charged on our oaths to present faults, so we have done our endeavours to the best of our knowledge, and we request you, the justices and bailiffs, betwixt God and your consciences, that you will also do your best endeavour to putt these our presentments in execution, and to punish such offenders as are worthy of punishment, and that you will do nothing, as Paul said to Timothy, v. 21. Ffavour not the rich because he is rich, nor the poore because he is poor, but punish sin in every one, as of right it ought to be, for there is no respect of persons before God: Job xxxiv. 19, 20.

'It is God's work and God's will that Sin should be punished and vertue cherished: Psalm 15, 4. And therefore delay no time and be not careless nor negligent to do God's will, for cursed be they that doeth the Lord's work negligently: Jeremy xlviii. 10, 11.

'God hath given you power and authoritie in your hands to punish sin, and in so doing will bless you. God grant that he may also put Grace and Courage in your hearts to doe the same rightly as good Josuah did: chap. i. 5, 6, 7.

'Shew yourselves like Godly David: Psalm ci. 1, 2.

'These sins committed in this toune will bring on heavy judgment on them of this toun if speedy repentance come not, and to prevent his judgment is to repent and to punish sinners. To draw to an end, the blessings of God will be with you if you will obey God's will, and sett yourself to punish sin as God hath commanded you to doe: Deut. xxviii. 1, 2, 10-12. And, contrary, the curse of God will be with you if you punish not sin as God hath commanded you to doe, as it is Deut. xviii. 25, 26, 27, 28. For God that cannot lye hath published before the world that he will honor them that honor Him, and they that despise him shall be despised: 1 Sam. chap. ii. 30; Titus i. 1, 2, 3.

'And therefore in the name of God stir up yourselves to serve God and to please him in this world, and in so doing he will bless you in this lyfe, and the lyfe to come will give you life ever-

lasting. Which God in his infinite mercy grant to you and to us all, and that for Christ Jesus Sake, to whom be all honour and glory for ever. Amen!'

With reference to the drinking which is mentioned in the foregoing presentation, we learn from the Council Book that the Mayor had liberty by the Statute 5th of Edward VI. to put down selling of ale and beer. And he was urged in the year 1574 to use his power to reduce the excessive number of licensed houses, and to see that good order was kept in those licensed, and that no unlawful games were engaged in.

As to the excessive number of such houses the following statement may be of interest:

'In 1594 there were—

10	alehouses	and	3	beerhouses	in Castlegate and Greens
16	„	„	2	„	„ Marigate.
9	„	„	2	„	and one Inn Keeper in Briggate.
5	„	„	1	„	and one Vintner in Crossgate.
4	„	„	3	„	in Hidehill.
3	„	„	1	„	„ Sandgate.
6	„				„ Eastern Lane.
2	„				„ Western Lane.
5	„	„	2	„	„ Walkergate.
3	„	„	3	„	„ Ratten Raw.
9	„	„	2	„	„ Soutergate.
3	„	„			„ Hidegate.
4	„	„	3		„ Nesse.
79	Alehouses		22	beerhouses, one Vintner, and one Innkeeper is the total supply for a town of much fewer inhabitants than the present.'	

At the same time there were twenty bakers in the town.

Up to the beginning of this century the town was shut in by four gates—the Scotsgate, Cowgate, Shoregate, and Bridgegate. These were found to be a great hindrance to the trade of the town. In 1799, Fuller very lustily inveighed against them, especially their being shut at night so early as 10 o'clock. In 1815-16 the Scotsgate was removed, and at the same time the main guard, which had formerly stood near that gate and had been brought down to the front of the Black Bull Inn in 1741, was taken to its present position; and, in the same year, 1816, the Piergate was opened and the road made passable down to the landward end of the New Pier, then in the process of building. The New Road along the river-side was made in the same year, which was a year of great distress: these various works and manifest improvements were undertaken with the object of alleviating the prevalent misery of the people. In 1825 the Bridge Gate was removed, and a yet greater improvement and benefit to the town was carried out in 1837, when the road,

or walk, along the ramparts was made. Within the last twenty-five years much has been done for the beautifying of the town by the planting of trees, especially on Bank Hill and in various parts of the walls and along Gillies Braes.

A most beneficial improvement has been carried out this year (1887), when the cattle market was removed from the public street to a properly fitted market stance, outside the present walls, close by the Scotsgate. Berwick has a chartered right to hold two weekly markets, Wednesday and Saturday, and a fair lasting from Trinity Sunday for eight days. Now, however, only the latter market-day is held, and the fair, which is held on the last Friday in May, has almost vanished.

THE GRANTING OF THE CHARTER BY JAMES I.

We are unfortunately unable to set forth in their completeness the proceedings of the town in procuring their New Charter from James I. of England, as several leaves of the Guild Book of 1603 have been lost. It appears, however, from an order made on September 1st, 1603, that, at a previous Guild, the preliminary steps had been agreed upon, for at that second meeting the Mayor, Hew Grigson, and Thomas Parkinson were ordered to repair immediately to London with the following parcels in their charge: '(1) Four Charters; (2) One Guild Book of Henry VII.'s time; (3) Four Bailiff Books; (4) The Town Seal to confirme the Proxy with all the further town's causes to be drawn by Mr. Recorder; (5) The Letter of King James to the town; (6) The Grant of King Henry VIII.'* On their arrival in London, these deputies presented a petition to his Majesty on behalf of the Mayor, burgesses, and commonalty, which the King referred to the Privy Council. This petition, though unrecoverable, appears to have embraced the following points: 'That certain grounds near Berwick had belonged to the town time out of mind; that the town had always had the use of the same, except that, of late years, some parts had been taken for feeding her Majesty's beeves upon.' The petition craved that these lands might be restored to the town, and not granted to any private person. The Privy Council granted the request, ordering, on September 11th, 1603, that 'a stay and forbearance be made of any suit or suits already, or hereafter, to be made by any private person for any of the said grounds or pastures to the hurt and prejudice of the town.'

In the following month, after the above deputation had returned, the Earl of

* This last was forgotten. It was to be sent with the first letter.

Cumberland and other Commissioners* were sent by his Majesty to Berwick, and, on October 25th, a joint meeting of burgesses and Commissioners was held, when the Mayor—now Michael Sanderson, the Recorder—Christopher Parkinson, the Town Clerk, and Thomas Parkinson, were directed to proceed to London, 'to sollicitt His highnes and His Hon. Privy Council on the public and needful occasions of the town.'† We are not told the result of this journey; but the Guild were now pressed for money, and obtained a loan of £50 from Mark Saltonstall, the repayment of which was guaranteed by George Morton and Hew Grigson. Michael Sanderson would not become bond, but gave 20 nobles as a free gift.

In December, 1603, a third deputation was sent to London, composed of Sanderson and Parkinson. They took the following writings with them: Four Charters, ten Guild Books, five Bailiffs' Books (two several and two sewed together), the King's Letter to the town (which was wrapped in the Charter of King Edward VI.). This deputation did not return to Berwick before July 16th, 1604.

Some time previously the King had divided all the possessions in the town and boundaries of Berwick between Sir George Home and the Mayor, Bailiffs and Burgesses, in the proportion of nearly two-thirds to the Corporation and one-third to Sir George. This grant to the Corporation was procured with the Act of Parliament that conferred it, and at the joint expense of the burgesses and the stallingers. The claim first made to the King and his Privy Council, on the part of the burgesses, seems to have been that they were seized of the lands within the burgh in fee simple, or had some exclusive title thereto, and in support of their claim they produced these various charters and grants, and gave evidence of continued usage and possession by prescription, and of many of the burgesses being freeholders and owners of burgages within the borough, and as such entitled to right of common on the lands within the bounds; but the Privy Council decided against the claim, and resolved that the lands belonged to the Crown.

On March 29th, 1604, letters patent under the Great Seal passed in favour of Sir George Home. The lands given to him in the boundaries of Berwick may be described negatively as all the lands in the bounds *not* at that time bestowed upon the burgesses, and which do not at the present time belong to them.

* When the Guild heard of these Commissioners coming to the town, it ordered the Mayor to bestow a supper on the said Erle and other Commissioners for the credit of the town. This supper was paid with £5 obtained from an admission to the freedom, and a confiscated boll of malt and 8s. of a fine taken from a man who had brought malt into the town, foreign bought and sold.

† This deputation went at the town's charges, but Michael Sanderson 'voluntarily and worshipfully offered to bear his own' on this journey.

On April 30th, 1604, James I. granted a Charter to our burgh by letters patent, a translation of which follows:

'James, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, etc. To all to whom, etc., greeting: Whereas our Burgh of Berwick-upon-Tweed is an ancient and populous burgh, and the burgesses of this burgh, sometimes by the name of the Mayor, Bailiffs and Burgesses of the same burgh, sometimes by the name of the Burgesses of the burgh, and sometimes by other names, have had, used and enjoyed and now have, use and enjoy divers liberties, franchises, immunities, customs, pre-eminences, and other hereditaments as well by divers charters and letters patent of divers our progenitors and predecessors, Kings and Queens of England, as also by reason of divers prescriptions and customs used and had in the same burgh. And whereas our beloved subjects the present Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed aforesaid have humbly beseeched us to extend to them our royal grace and bounty, and that we would for the better government, rule, and amelioration of the said burgh, the same mayor, bailiffs and burgesses into one body corporate and politic by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed, by our letters patent, make, constitute, and create anew with the augmentation and addition of certain liberties, privileges, immunities and franchises as to us should seem most expedient. We, therefore, willing that from henceforth for ever continually there shall be had one certain and undoubted mode in our said burgh of in and about the keeping of our peace and for the rule and government of the same burgh and of our people there inhabiting and others thither resorting, and that that burgh may be and remain perpetually in future times a burgh of peace and quiet to the fear and terror of the wicked, and the reward and support of the good, and also that our peace and other deeds of justice and good government may the better there be kept and done, and hoping that if the Mayor, Bailiffs and Burgesses of the said burgh and their successors by our royal grant enjoy greater and more ample dignities, privileges, jurisdictions, liberties and franchises than formerly, they will think themselves more especially and strongly bound to perform their best services to us, our heirs and successors, and also at the humble petition and request of our well-beloved and faithful Counsellor Sir George Howme, Knight, Treasurer of our Kingdom of Scotland and Chancellor of our Exchequer, of our especial grace and of our certain Knowledge and mere motion, have willed, ordained, constituted, granted and declared, and by these presents for us, our heirs and successors do will, ordain, constitute, grant and declare,

'That our said Burgh of Berwick-upon-Tweed from henceforth and for ever may and shall be and remain a free burgh of itself, and that the men of the same burgh shall be free burgesses and have all liberties and free customs to a free burgh belonging for ever. And that the mayor, bailiffs and burgesses of the same burgh and that the burgesses of that burgh whether they have been before this time lawfully incorporated or not shall and may from henceforth for ever, without any question or doubt to be made hereafter, be one body corporate and politic in deed, fact and name, by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed, and them by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed one body corporate and politic in deed, fact and name fully for us, our heirs and successors we do erect, make, ordain, constitute and declare by these presents, and that by the same name they may have perpetual succession; And that they by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed may and shall be in all future times persons able and in law capable, and as a body corporate and politic in law capable to have, purchase, receive, possess, enjoy and retain, lands, tenements, liberties, privileges, jurisdictions, franchises, and hereditaments whatsoever, and of what kind, nature or quality soever they shall be to them and their successors in fee and perpetuity or for term of a year or years or otherwise howsoever, and also goods and chattels whatsoever; And also to give, grant, demise, alien, assign, and dispose of lands, tenements, and

Berwick to be a free Burgh.

hereditaments, and also goods and chattels whatsoever, and to do and execute all and singular other deeds and things by the name aforesaid; And that they may and shall by the same name plead and be impleaded, answer and be answered, defend and be defended, in all courts and places before us, our heirs and successors, and before our judges, justices and other persons and officers of us, our heirs and successors and others whomsoever in all and singular actions, pleas, suits, complaints, causes, matters and demands whatsoever of whatsoever kind, nature or quality, they may or shall be in manner and form as any other, our liege people of this our Kingdom of England, being persons having power and in law capable, or any other body corporate and politic within our Kingdom of England can and are able to have, purchase, receive, possess, enjoy, implead and be impleaded, answer and be answered, defend and be defended, do, permit, or execute.

'And that the aforesaid Mayor, Bailiffs and Burgesses, and their successors, may have for ever a common seal for transacting the causes and business of them and their successors, and that it may and shall be lawful for them and their successors that seal at their pleasures from time to time to break, change and make anew as to them shall seem most expedient.

Grant of Common Seal.

'And further, of our more abundant grace we will and by these presents for us, our heirs and successors, do grant to the said Mayor, Bailiffs and Burgesses of the said Burgh and 'their successors, that the Mayor, Bailiffs and Burgesses of the Burgh aforesaid for the time being, or the greater part of them (of whom the Mayor of the Burgh aforesaid for the time being we will to be one) shall and by these presents may have full authority, power and ability to frame, constitute, ordain, make and establish from time to time such laws, statutes, ordinances and constitutions as to them or the greater part of them (of whom the Mayor of the Burgh aforesaid for the time being we will to be one) according to their same discretions shall be seen to be good, useful, wholesome, honest and necessary for the good rule and government of the mayor, bailiffs and burgesses of the burgh aforesaid; and all and singular other burgesses, officers, ministers, artificers, inhabitants and residents whomsoever within the burgh aforesaid for the time being and for declaring and ordering how the same mayor, bailiffs and burgesses and their successors and all and singular officers and ministers, burgesses, artificers, inhabitants and residents within the burgh aforesaid, shall behave, demean and use themselves in their offices, functions, ministries, trades and businesses within the burgh aforesaid, and the liberties thereof for better promoting the public good, common advantage and good government of the burgh aforesaid, and for victualling the same burgh and for better preserving, governing, disposing of, letting and demising the lands, possessions, reversions and hereditaments to the aforesaid mayor, bailiffs and burgesses and their successors given, granted or assigned, or hereafter to be given, granted or assigned, and all other things and causes whatsoever touching or in anywise concerning the burgh aforesaid or the state, rights and interest of the same burgh. And that the mayor, bailiffs and burgesses of the burgh aforesaid for the time being or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) as often as they shall frame, make, ordain, or establish such laws, institutions, rights, ordinances and constitutions in form aforesaid may and shall have power to make, ordain, limit and provide such pains, punishments and penalties by bodily imprisonment or by fines and amerciaments or by either of them towards and upon all offenders against such laws and institutions, rights, ordinances and constitutions or any of them, as to the same mayor, bailiffs and burgesses for the time being or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) shall be thought necessary, fit and requisite for the observation of those laws, ordinances and constitutions, and the same fines and amerciaments to levy and have for the use and behoof of the aforesaid mayor, bailiffs and burgesses and their successors, without hindrance of us, our heirs and successors or any other officers or ministers of us, our heirs or successors, and without any account to us, our heirs or successors to be therefore rendered; all and singular which laws, ordinances, rights and constitutions so to be made as aforesaid we will shall be observed under the pains therein to be

Power to make Bye-laws.

contained so always that such laws, ordinances, institutions, constitutions, imprisonments, fines and amerciaments be reasonable and not repugnant or contrary to the laws, statutes, customs or rights of our Kingdom of England, or to the reasonable and laudable prescriptions and customs in the said burgh anciently used and accustomed.

A Mayor and Four Bailiffs to be elected annually.

'And further we will and by these presents for us, our heirs and successors, do ordain that from henceforth for ever there may and shall be elected and constituted in the burgh aforesaid one mayor of the burgesses of the burgh aforesaid, in the manner in these letters patent hereinafter specified; And for the better execution of our will and grant in this behalf, we nominate, constitute, assign and make our beloved Michael Sanderson, now mayor of the burgh aforesaid, to be and remain the present mayor of the burgh aforesaid, willing that he shall be and continue in the office of mayor of the same burgh from the date of these presents until the feast of St. Michael the Archangel next ensuing, if he shall so long live, and from the same day until he or some other burgess of the burgh aforesaid shall be in due manner elected, appointed and sworn to that office according to the ordinances and provisions hereinafter expressed and declared.

'And further we will, and by these presents for us our heirs and successors ordain, that from henceforth for ever there may and shall be in the burgh aforesaid four bailiffs to be elected and constituted of the burgesses of the burgh aforesaid in the manner in these letters patent specified; And for the better execution of our will and grant in this behalf we assign, nominate, constitute and make our beloved John Shotten, Edward Haddlesey, Leonard Fairley and Stephen Jackson, now bailiffs of the burgh aforesaid, to be and remain the present bailiffs of the burgh aforesaid, to continue in that office until the feast aforesaid, if they so long live, and from the same feast until they or some other burgesses of the same burgh in that office of bailiff of the burgh aforesaid in due manner shall be elected, appointed and sworn according to the ordinance and provisions in these presents hereinafter specified and declared; And we will and grant that the mayor, bailiffs and burgesses, or the greater part of them from time to time in all future times may and shall have power and authority yearly at the same feast to assemble and convocate themselves together in the Guildhall or Tolbooth of the same burgh, or in some other convenient place within the same burgh, and that they or the greater part of them before they shall depart from thence may choose and nominate one of themselves to be mayor of the burgh aforesaid for one whole year then next following, and from thence until the same mayor or a burgess of the burgh aforesaid, shall be elected, appointed and sworn to execute that office, which burgess after he shall be elected and nominated as aforesaid to be mayor of the burgh aforesaid before he shall be admitted to execute that office shall take a corporal oath before the last mayor his predecessor, the bailiffs and the rest of the burgesses of that burgh for the time being, or so many of them as shall then be present, rightly well and faithfully to execute all things touching that office. And, moreover, we will and grant that the mayor, bailiffs and burgesses of the burgh aforesaid or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) from time to time and in all future times may and shall have power and authority yearly on the aforesaid feast day in the Guildhall or Tollbooth, or in some other convenient place in the said burgh, to elect and nominate four of themselves to be bailiffs of the burgh aforesaid for one whole year then next ensuing; And that each of them after they shall be so elected, appointed and nominated as aforesaid to the office of bailiffs of the same burgh before they are admitted to execute the office of bailiffs of the burgh aforesaid shall take a corporal oath before the mayor and the last bailiffs, their predecessors, and the rest of the burgesses of that burgh, or so many of them as shall then be present, rightly well and faithfully to execute all things touching that office; And that after the oath aforesaid shall be so taken they may execute the office of bailiffs of the burgh aforesaid for one whole year then next ensuing; And, moreover, we grant that if the mayor of the burgh aforesaid shall at any time within one year after he hath been so elected, appointed and

sworn to the office of mayor of the burgh aforesaid die or be removed from his office it may and shall be lawful for the aforesaid bailiffs and burgesses of the burgh aforesaid for the time being, or the greater part of them, at a convenient time after the death or amotion of such mayor another of themselves to be mayor of the burgh aforesaid to elect and appoint, and that he so, as aforesaid elected and appointed to the office of mayor of the burgh aforesaid, shall have and exercise that office during the residue of the same year, taking first the corporal oath in form aforesaid, and so and from time to time as the case shall so happen; And, moreover, we grant that if the bailiffs of the said burgh or any one or more of them at any time within one year after they shall have been elected and sworn as aforesaid, to the office of bailiffs of the burgh aforesaid, shall die or be amoved from that office it may and shall be lawful for the aforesaid mayor and the other bailiffs of the burgh aforesaid then surviving and remaining, and the burgesses of the same burgh for the time being, or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), one, two, three or four others as the case shall require of themselves to be a bailiff or bailiffs of the burgh aforesaid to elect and appoint, and that he or they so elected to the office or offices of a bailiff or bailiffs of the burgh aforesaid shall have and exercise that office during the residue of the same year, their corporal oaths in form aforesaid having been first taken and so as often as the case shall so happen.

The Recorder.

We will also and grant that there may and shall be in the said burgh one honest and discreet man, learned in the laws of England, who shall be, and shall be called, the Recorder of the same burgh, and shall faithfully do and execute all and singular those things which belong and ought to belong to the office of Recorder within the same burgh; And also we have assigned, nominated, declared, ordained, constituted and made, and by these presents do assign, nominate, declare, ordain, constitute and make Christopher Parkinson, of Gray's Inn, in the County of Middlesex, Gentleman, to be the present recorder of the said burgh to have and execute the said office of recorder of the same burgh according to the tenor and effect of the grant of the said office by the mayor, bailiffs and burgesses of the burgh aforesaid to him before this made or hereafter to be made to execute and exercise by himself or his sufficient deputy or deputies upon his oath faithfully to exercise and execute justice and other things which to the office of recorder of the burgh aforesaid belong or ought to belong, and that from time to time and at all times after the death of the aforesaid Christopher Parkinson or his amotion from the office aforesaid the mayor, bailiffs and burgesses of the burgh aforesaid for the time being and their successors or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) may elect, nominate and appoint one other approved and discreet man learned in the laws of England to be recorder of the burgh aforesaid, and that he who shall be so as aforesaid elected, appointed, nominated and sworn to be recorder of the burgh aforesaid after the death or amotion of the said Christopher Parkinson may have, enjoy and exercise that office of recorder of the burgh aforesaid according to the tenor and effect of the grant thereof to him by the mayor, bailiffs and burgesses of the burgh aforesaid for the time being to be made and so *toties quoties* as the case shall so happen.

Court of Pleas.

'And we will and by these presents for us, our heirs and successors, do grant to the same mayor, bailiffs and burgesses of the burgh aforesaid and their successors that they and their successors from henceforth for ever may and shall have and hold within the burgh aforesaid one Court of Pleas every Tuesday in every second week annually to be holden before the mayor, bailiffs and recorder of the burgh aforesaid for the time being or before any three of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) at the Guildhall or Tollbooth of the same burgh, and that in that court they may hold by plaints in the same court to be preferred or otherwise according to the laudable and reasonable customs in the burgh aforesaid heretofore used and accustomed all and all manner of actions, suits, plaints and demands as well real as personal, and mixed of all manner of personal transgressions with force and arms and of all manner of other trespasses within the burgh aforesaid, the suburbs, liberties and precincts of the same, done,

moved, arising, had or committed, or hereafter to be done, moved, had or committed, and of all and all manner of intrinsic tenures, burgages, lands, tenements, goods, chattels, debts, actions upon the case and of deceipt, account and debt, detinue of charters, escripts, muniments and chattels, taking and detaining beasts and chattels and other contracts whatsoever arising or hereafter happening to arise out of any causes or things whatsoever within the burgh aforesaid, the suburbs, liberties, and precincts of the same to whatsoever sum or value the same trespass, debts, accounts, covenants, deceipts, detinues or other contracts shall amount, and that such pleas, plaints, suits and actions shall be there heard and determined before the said mayor, bailiffs and recorder of the burgh aforesaid for the time being or any three of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), but such and the like processes, ways and means according to the laws and customs of our Kingdom of England or according to the ancient, reasonable and laudable customs of the said burgh heretofore in the same burgh used and approved as shall be consonant to our law or the same customs of the same burgh and in as large manner as in any court of pleas in any city, burgh or town corporate within this our Kingdom of England or in the said burgh of Berwick-upon-Tweed heretofore hath been used and accustomed or ought to be done.

'And further, we will and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that they and their successors from time to time in all future times may and shall have cognizance of all and all manner of pleas, plaints, actions and demands whatsoever as well real as personal and mixed in all the courts of us our heirs and successors moved and commenced or to be moved and commenced of all causes, things and matters happening, arising or growing within the burgh aforesaid the suburbs, liberties, and precincts of the same as within the same burgh they have been anciently accustomed.

Cognizance of Pleas.

'And further, that the mayor of the burgh aforesaid for the time being may and shall be from henceforth for ever the escheator of us, our heirs and successors, within the burgh aforesaid the liberties and precincts of the same as before in the same burgh hath been used so that no escheator or other minister of us, our heirs and successors, shall enter the said burgh the liberties or precincts of the same or intermeddle with anything which to the office of escheator belongs in the same burgh unless in default of the same mayor for the time being.

The Mayor to be the King's Escheator in Berwick.

'We will also and grant to the aforesaid mayor, bailiffs, and burgesses of the burgh aforesaid and their successors that from henceforth for ever there may and shall be in the burgh aforesaid one honest and fit man who shall be called and shall be the coroner of the same burgh to serve in the office of coroner in the burgh aforesaid, the suburbs, liberties and precincts of the same and to perform there whatever to the office of coroner belongs from time to time; which said coroner shall be appointed, nominated and elected by the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid or by the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one). And which said coroner so as aforesaid to be elected and nominated may and shall be sworn faithfully to execute and exercise his office aforesaid in due manner before the mayor, bailiffs and recorder of the burgh aforesaid or the greater part of them for the time being (of whom the mayor of the burgh aforesaid for the time being we will to be one) and that after such oath so taken he ought, may and shall have power to execute and exercise that office during the pleasure of the mayor, bailiffs and burgesses of the burgh aforesaid or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one).

The Coroner.

'And further, we will and grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that from henceforth for ever there may and shall be in the burgh aforesaid officers not exceeding the number of four who shall be and shall be called serjeants at the mace, to serve in the courts of the burgh aforesaid and for the proclamation, arrest and execution of processes, precepts and other business to the office of serjeants at mace in

Serjeants at Mace.

the burgh aforesaid and the limits, precincts and bounds of the same belonging from time to time to be executed and performed, which said serjeants at mace shall be appointed, nominated and elected by the aforesaid mayor and bailiffs of the burgh aforesaid or by major part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) as often as to them the aforesaid mayor and bailiffs or the major part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) shall appear to be convenient and necessary, and they shall be attendant from time to time upon the mayor and bailiffs of the burgh aforesaid for the time being; And which aforesaid serjeants at mace, so as aforesaid to be chosen and nominated for the well and faithful executing and exercising their offices aforesaid in due manner, may and shall be sworn before the mayor, bailiffs and recorder of the burgh aforesaid, or the greater part of them for the time being (of whom the mayor for the time being we will to be one), and that after such oath so taken they may and shall execute and exercise their offices during the pleasure of the mayor and bailiffs of the burgh aforesaid for the time being or the major part of them (of whom the mayor for the time being we will to be one).

'And further we grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that they and their successors from henceforth for ever may have within the burgh aforesaid a Guild of Merchants with a Hansa and all other liberties, privileges and free customs to that Guild belonging in as ample manner and form as heretofore they have had, been accustomed to have, or ought to have had, or ought to have the same, so as no one who is not of that guild may make any merchandize in the same burgh, the suburbs, liberties or precincts of the same, but at the will and pleasure of the mayor, bailiffs and burgesses of the same burgh. We will also and by these presents for ourselves, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and to their successors, That whatsoever merchants shall resort to the burgh aforesaid with their merchandize from whatsoever place they may come, whether foreigners or others, who shall be at our peace or shall come into our land, by our licence may come, remain and depart in safe peace conforming themselves to the lawful customs of the same burgh, and that the aforesaid burgesses or merchants shall not be called in question for mistelling in their pleas that if they shall not have narrated all things well, And that no merchant shall go to meet other merchants coming by land or by sea towards the burgh aforesaid to buy or sell merchandizes and provisions until they have arrived at the aforesaid burgh and have exposed their wares there for sale, under the penalty of forfeiting the article bought and upon pain of being sent to prison, from which without grievous punishment the offender shall not be permitted to depart; And that no foreign merchant who is not a merchant of the aforesaid guild, and of the liberty of the said burgh, shall trade for profit or make any merchandize within the burgh aforesaid or the suburbs, liberties, precincts of the same with another foreign merchant, nor shall any such foreign merchant buy within the burgh aforesaid from another foreign merchant such merchandizes under the penalty of forfeiting the same merchandizes; And that no merchant who shall be a stranger and who shall not be of the Guild of the Merchants aforesaid shall sell in the burgh aforesaid any wares except in gross. We have granted also and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that yearly and from time to time the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors may and shall have power to inquire and make inquisitions within the burgh aforesaid and the suburbs, liberties and precincts of the same if any burgesses of the liberties of the same burgh in his own proper name, or in the name of another burgess of the burgh aforesaid, and as his own proper goods and wares, or as the goods and wares of another burgess of the burgh aforesaid shall sell or expose for sale within the burgh aforesaid any goods, chattels or wares or merchandize of persons who shall not be burgesses of that burgh, nor of the liberty of the same contrary to his oath in that behalf taken, or that if any of the burgesses of the burgh aforesaid shall thereof be found guilty and shall be convicted according to the customs of the guild and burgh

Guild of Merchants.

aforesaid, such burgess so offending shall totally lose his liberty in the burgh aforesaid, and shall thereupon be disfranchised for ever. And that no foreign merchant shall sell or buy any goods sold by weight or any other wares which ought to be weighed or troned, except by our balance and trone, upon pain of forfeiting the goods aforesaid so saleable by weight. We will also, and by these presents, for ourselves, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors, that the customer, troner or any other officer whosoever, who in the burgh aforesaid, by us or by our heirs or successors, shall happen to be stationed, shall constantly reside and remain at their offices in the same burgh, so that by their absence or default merchants in the delivery of their merchandizes may not be delayed nor impeded. And that none of the burgesses of the aforesaid burgh shall be arrested or distrained for any debt unless he be the debtor or surety.

'Moreover, we will and by these presents for ourselves, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that the mayor, bailiffs and burgesses of the burgh aforesaid for the time being shall not be put upon any assizes, juries or attaints, or serve as recognitors by reason of intrinsic tenure or against their will beyond the burgh aforesaid.

Burgesses exempt from serving as Jurors,

'And that the said burgesses of the burgh aforesaid, and their successors, shall not be distrained nor compelled by us, our heirs or successors, or by the officers or ministers of us, our heirs or successors, to go or be sent to war without the burgh aforesaid, and the suburbs, precincts and liberties thereof, except by the special commandment of us, our heirs or successors, as hitherto in the same burgh hath been lawfully used and accustomed.

and as Soldiers out of the Burgh.

'And that no man shall take lodging within the burgh aforesaid by force or by livery of the Marshall of us, our heirs or successors, as in the same burgh hitherto hath been used and accustomed.

'We have granted, moreover, and do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that they may have the return of all writs, processes and mandates of us, our heirs and successors from whatsoever courts of us, our heirs and successors, coming and issuing within the burgh aforesaid and the execution of the same so that no sheriff or other bailiff or minister of us, our heirs and successors, shall enter that burgh or the suburbs, liberties and precincts of the same, to do any office there for anything to that burgh belonging, but in default of the mayor and bailiffs of the same burgh.

Return of Writs.

'And further that the mayor, bailiffs and burgesses of the burgh aforesaid, or any of them and the customers, troners and officers of us, our heirs and successors, within the burgh aforesaid for the time being or any of them shall not be impleaded nor compelled to answer for any intrinsic tenures or trespasses, debts, contracts, accounts or any other causes or things within the said burgh, the suburbs, liberties, limits and precincts of the same by them done or to be done elsewhere than in the burgh aforesaid before the mayor and bailiffs of the aforesaid and their successors, or before the justices of us, our heirs and successors, assigned for the purpose within the said burgh and not elsewhere.

Burgesses not to be sued for intrinsic tenures, etc., elsewhere than in the Burgh Courts.

'And also that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors through our whole realm and power shall be quit and exonerated for ever of toll, pontage, passage, murage, pannage, cranage, lastage, carriage, pickage, quayage, vinage, and of all their sale, achate and rechate, through our own land and power with sock and sack, and theol and theam, ward and wardpenny, and all other customs which may be exacted for their own proper goods and merchandizes.

To be quit of Toll, etc., throughout England and Scotland.

'We have granted also to the same mayor, bailiffs and burgesses of the burgh aforesaid, and their successors by these presents, quittance of murder within the burgh aforesaid, the suburbs, liberties, limits and precincts thereof.

Quittance of Murder.

'And further we will and do grant to the aforesaid mayor, bailiffs and burgesses of the burgh

aforesaid, and their successors, that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, shall be free, quit, discharged and exonerated from all payments of subsidies, taxes, impositions, tenths, fifteenths and exactions whatsoever to us, our heirs or successors, due or granted, or hereafter to be granted as heretofore in the same burgh hath been used and accustomed, and also from prisage of wines, butlerage of wines, and from all impositions called the imposts, butlerage and prisage of wines for any wines by the said mayor, bailiffs and burgesses of the burgh aforesaid, or any or either of them within the port of the burgh aforesaid, or the members or creeks of the same port imported, unladen, or put on land or hereafter to be imported, unladen, or put on land as hitherto in the same burgh hath been used and accustomed.

Exemption from Subsidies.

'And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, may export and transmit hides, skins, wool and all other their effects and merchandizes from the port of the burgh aforesaid, or from the members or creeks of the same port, to whatsoever place or places, port or ports, they will with the same and similar liberties, privileges and immunities, and in as ample and beneficial manner and form as before these times in the same burgh hath been used and accustomed, and as by divers laws, statutes and ordinances of our Kingdom of England heretofore made and provided is decreed and ordained. And further of our more abundant grace, and for the ameliorating of the said burgh, we grant that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, and every of them, may at pleasure transport and transmit corn and grain of every kind and species, being their own proper goods and chattels, from the port of the burgh aforesaid, and from any members and creeks of the same port, wheresoever they will according to the form and effect of certain statutes in such case made and provided, without any other imposition or exaction thereupon imposed or hereafter to be imposed by or for the use of us, our heirs or successors, otherwise than in those statutes, or any of them, is specified or contained. And further of our more abundant special grace, and of our certain knowledge and mere motion, we give and grant full, free and lawful power, faculty and authority to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, to ship, load and embark sea coals, stone coals and pit coals, into any ship or vessel in the port of the said burgh, or in any creeks or places to the same port belonging, and to convey and transport the same into any port, creek or place within this Kingdom of England, or other our dominions, or into any parts beyond the seas without any impositions, taxation, or any sum or sums of money therefore to be paid to us, our heirs or successors, except the ancient customs, sums of money and other duties to us and our predecessors anciently due and payable, any statute, act, ordinance, or provision, or any other thing, cause, or matter whatsoever to the contrary in anywise notwithstanding.

Licence to export hides, wool, corn, coals, etc.

'And moreover we will and grant that if any burgess of the burgh aforesaid shall at his death leave any orphans begotten in lawful matrimony, the said orphans, with their chattels, lands, tenements and possessions by the mayor and bailiffs of the same burgh, shall be put into the custody of some faithful burgess of the burgh aforesaid, next of kin to the said orphans to whom the inheritance of the same orphans cannot descend, who shall give security that he will keep and sustain these orphans, their lands, tenements and houses in a proper state without waste, sale or spoil, and fully answer for and restore all the issues of the lands, tenements and houses of the same orphans which shall accrue during the time of their custody, the reasonable costs and charges for the time of their custody being deducted to the aforesaid orphans when they shall come to lawful years by the view and consideration of the mayor, bailiffs and burgesses of the burgh aforesaid, together with the surplusage of the expense. We will also that the mayor, bailiffs and burgesses of the burgh aforesaid shall have full power every year to see that the said custody be well and faithfully done to the profit of the aforesaid orphans.

Orphans of Burgesses.

'And we will that all the burgesses of the burgh aforesaid desirous of enjoying the liberties, immunities and free customs of the said burgh shall abide, inhabit, and reside within the burgh

aforesaid and shall be at Guild and scot and lot and be participators in all assessments and burthens with the rest of the burgesses of the burgh aforesaid so often as it shall happen that the said burgh shall be taxed for the good state and maintenance of that burgh and the liberties of the same according to their oaths in that behalf made when they were admitted to the liberties of the burgh aforesaid, and whosoever shall refuse to do so, shall wholly lose their liberties in the burgh aforesaid, the suburbs, liberties, limits and precincts of the same. And also that all the other inhabitants not being burgesses nor of the liberties of the burgh aforesaid and the stallingers in the burgh aforesaid, although they be not of the liberty of the burgh aforesaid, shall be participators in all assessments and burthens in the burgh aforesaid reasonably made or to be made for the state and maintenance of the same burgh as the other inhabitants and the stallingers before this time were accustomed. And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), for the necessity, commodity, and public good of the burgh aforesaid, may amongst themselves with their common assent reasonably tax and may impose a tax and tallage upon the goods and chattels of the burgesses of the burgh aforesaid and of the other persons whomsoever within the said burgh inhabiting, as well upon the rents as upon the other effects of the said burgesses and inhabitants within the burgh aforesaid, the suburbs, liberties and precincts of the same, as shall to them seem best, and the same tallage and tax may levy and cause to be levied as before these times in the same burgh has been used and accustomed without let or hindrance of us, our heirs and successors, or the officers and ministers whomsoever of us, our heirs and successors. And that all sums of money from time to time arising from these tallages shall be for the use of the chamber of the burgh aforesaid for the necessity, profit, and public good of the same burgh, and shall not otherwise be expended.

Burgesses to reside or be at Guild and pay scot and lot and power to tax them and the stallingers, and other non-burgesses, for the public good of the burgh.

'And further, we grant that the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, may for ever have, hold and keep within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same, two markets weekly and whatsoever pertains or ought to appertain to a market, and also one fair in every year in the same burgh, the suburbs, liberties, limits and precincts of the same, with all things to the same fair belonging, to continue from the feast of the invention of the holy cross [3rd May] to the feast of the nativity of St. John the Baptist [29th June], together with a court of pyepowder and together with all tolls, customs, liberties and free usages to such fair, markets and court of pyepowder belonging or appertaining, together also with toll, tollage, stallage, piccage, fines, amerciaments and all other commodities, profits and emoluments whatsoever from and to such market and fair and court of pyepowder arising, happening, issuing or belonging, and with all other free customs and liberties to such market and fair and court of pyepowder belonging or appertaining. And moreover we have granted and for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, that the mayor of the burgh aforesaid for the time being for ever hereafter may and shall be clerk of the market of us, our heirs and successors, within the burgh aforesaid, the suburbs, liberties and precincts thereof, and that the mayor of the burgh aforesaid for the time being shall do and execute and shall and may have power to do and execute for ever, all and whatsoever to the office of clerk of the market there belongs to be done, and shall do and perform all other acts and things which to that office within the same burgh, the suburbs, liberties and precincts of the same ought to be done and executed as in times past within the burgh aforesaid has been accustomed, so that the clerk of the market of the household of us, our heirs or successors, shall not hereafter interfere with the assize of bread, wine and ale or the destroying of weights or measures in the same burgh, the suburbs, liberties and precincts of the same, nor presume to enter the same to do anything which to the office of clerk of the market belongs.

Grant of two weekly markets and a yearly fair.

'Moreover, we grant that the aforesaid mayor, bailiffs and burgesses, and their successors, may have and hold within the burgh aforesaid and the suburbs, liberties, and precincts of the same for ever hereafter a court leet and view of frank pledge of all the burgesses, inhabitants, and residents within the burgh aforesaid and the suburbs, liberties, and precincts of the same twice in the year in the guildhall of the burgh aforesaid, to be holden on the same day and times as are provided by the laws and statutes of this our Kingdom of England and all things whatsoever, which to a view of frank pledge belongs in as ample manner and form as the mayor, bailiffs and burgesses of the burgh aforesaid, or any of them, heretofore have holden or could or ought to have held the same.

Grant of Court Leet.

'We will also that the mayor of the burgh aforesaid and his successors for the time being shall have the custody and government of the gates, posterns and wickets of the said burgh, and also the custody of the keys of the same gates.

The Mayor to have charge of the Gates of the fortifications.

'And further, we will and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the same mayor, bailiffs and burgesses and their successors may have within the same burgh or the suburbs, liberties, limits and precincts of the same, one prison or gaol for the safe keeping and custody of all and singular prisoners within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same attached, arrested, taken or apprehended, or to be attached, arrested, taken or apprehended or to the prison or gaol of the burgh aforesaid for any cause or matter adjudged or committed there to remain, and by the mayor and bailiffs of the burgh aforesaid for the time being or their minister or ministers for that purpose by them deputed or to be deputed to be safely kept so long and until they in lawful manner be delivered so that the aforesaid mayor, bailiffs and burgesses and their successors of Infangtheefe and Outfangtheefe may do judgment in the burgh aforesaid as hitherto hath been used and accustomed.

The Gaol.

'And further, we will and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the mayor of the burgh aforesaid for the time being and the recorder of the same burgh for the time being and such burgesses or aldermen of the same burgh as have served or hereafter shall serve the office of the mayoralty of the same burgh, and each of them after they shall have served the said office of the mayoralty, so long as they shall be burgesses and aldermen of the burgh aforesaid, may and shall be for ever hereafter within the burgh aforesaid and within the suburbs, liberties and precincts of the same, the justices of us, our heirs and successors, the peace of us, our heirs and successors, within the same burgh, the suburbs, liberties and precincts of the same, to keep and preserve and cause to be kept and preserved, and also all ordinances and statutes for the good of our peace and for the preservation of the same and for the quiet rule and government of our people made, in all their enactments, within the burgh aforesaid, the suburbs, liberties, and precincts of the same, according to the force, form and effect of the same ordinances and statutes, shall keep and cause to be kept and all and all manner of persons whomsoever and of what estate, degree or condition soever they may be against the form of these ordinances and statutes or any of them within the burgh aforesaid, the suburbs, liberties and precincts of the same offending, to chastise, correct and punish as according to the form of these ordinances and statutes ought to be done. And all these within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same, who shall threaten to assault the bodies of any of our people or to burn their houses, to cause to come before them or any of them to find sufficient security for the peace or for good behaviour towards us and our people: and if they shall refuse to find such security, then to cause them to be safely kept in the gaol or prison of the burgh aforesaid until they find such security.

Justices of the Peace.

'And that the aforesaid mayor, recorder, and such of the aldermen or burgesses aforesaid as have at any time borne or hereafter shall bear the office of mayor, after they have served the said

office of mayor of the burgh aforesaid, and so long as they shall be burgesses or aldermen of that burgh, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), may have from henceforth for ever full power and authority from time to time of inquiring into, hearing and determining within the burgh aforesaid, the suburbs, liberties or precincts of the same, all and all manner of felonies, murders, homicides, robberies, assaults, riots, routs, forcible entries into lands or tenements, trespasses against the peace of us, our heirs and successors, unlawful assemblies, ambidexter, conspiracies, contempts, concealments and also all other misprisons, offences, misdeeds, defaults, negligences, causes and articles which to the authority or power of a justice or keeper of the peace belong or hereafter shall belong in as ample manner and form as any justices or keepers of the peace of us, our heirs or successors, in any of our counties within this kingdom of England by the laws and statutes of the same kingdom for offences and crimes in the said county committed or perpetrated as justices of the peace may and have power to hear or determine.

Grant of oyer and terminer.

'We will also and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the mayor and recorder of the burgh aforesaid for the time being and such burgesses or aldermen of the burgh aforesaid as at any time have borne or hereafter shall serve the office of mayoralty of the same burgh after they have served the same office so long as they shall be burgesses and aldermen of the burgh aforesaid, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), from time to time hereafter shall be the justices, and each of them shall be from time to time the justice of us, our heirs and successors, from time to time to deliver the gaol of the burgh aforesaid of the prisoners being therein; And that the coroner of the burgh aforesaid for the time being shall return from time to time all juries, inquisitions, panels, attachments and indentures by him taken and hereafter to be taken before the aforesaid mayor, recorder and the aforesaid burgesses or aldermen of the burgh aforesaid for the time being, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), when and so often as they shall wish to deliver that gaol of the prisoners in the same gaol being, and shall attend them in all things touching the deliveries of the gaol aforesaid and the precepts of them, the mayor, recorder and burgesses or aldermen aforesaid for the time being, or any three or more of them (of whom the aforesaid mayor and recorder of the burgh aforesaid for the time being we will to be two), shall execute from time to time in the same manner and form as any sheriffs of our Kingdom of England before the justices delivering gaols in any counties of our said Kingdom of England of us, our heirs or successors, are accustomed and bound to do, return, attend or execute in any manner of way by the law and statutes of this our Kingdom of England. And that the same mayor, recorder and aldermen of the burgh aforesaid for the time being, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), may and shall have and may erect hereafter a gallows within the burgh aforesaid, the suburbs, liberties or precincts of the same, to hang and execute felons, murderers and other malefactors within the burgh aforesaid sentenced to death according to the law of England. And that the aforesaid mayor, recorder and such burgesses or aldermen as aforesaid of the burgh aforesaid as have already served or shall hereafter bear the office of the mayoralty of the same burgh after they have served the said office, so long as they shall be burgesses and aldermen of the burgh aforesaid, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), all manner of felons, robbers and other malefactors within the burgh aforesaid, the suburbs, liberties and precincts thereof, found or to be found by themselves or by their ministers or deputies in the burgh aforesaid appointed, may take and arrest and carry them to the gaol within the burgh aforesaid, there to be safely kept until by due process of law they shall be thence delivered, any other ordinance, decree or custom to the contrary notwithstanding.

Gaol delivery and gallows.

'We have granted moreover for us, our heirs and successors, and by these presents of our special grace and by our certain knowledge and mere motion we do grant, to the aforesaid mayor, bailiffs and burgesses, of the burgh aforesaid, and their successors, that they and their successors from henceforth for ever may have, enjoy and receive, and shall have, enjoy, levy and receive to the proper use and behoof of the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, all and all manner of fines, redemptions and amerciaments whatsoever, for all trespasses and other misdeeds or other matters, and causes within the burgh aforesaid, the suburbs, liberties and precincts of the same, committed and to be committed, and all and all manner of fines, amerciaments, forfeitures, profits and perquisites of the courts aforesaid, before the aforesaid mayor, recorder and bailiffs in the court of the burgh aforesaid, and before the aforesaid mayor, bailiffs* and the said aldermen of the burgh aforesaid, or any three or more of them as aforesaid, as justices to preserve the peace or to deliver the gaol within the burgh aforesaid, the liberties and precincts of the same, from whatsoever cause or causes arising, happening, issuing or growing, to be imposed or forfeited as before in the burgh aforesaid hath been used and accustomed, and also all and all manner of waived goods and chattels whatsoever, deodands, chattels of felons and fugitives, of persons outlawed and to be outlawed, waived and to be waived, condemned and to be condemned, adjudged and to be adjudged, attainted and to be attainted, convicted and to be convicted, of fugitives and men put in exigent, from all and singular tenants, inhabitants and residents in the burgh aforesaid, the suburbs, liberties and precincts thereof, from time to time issuing, happening or arising, and that it shall and may be lawful for the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, the same fines, issues, amerciaments, forfeitures and profits from time to time to levy and collect by the proper officers of the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, according to the law and custom of our Kingdom of England or according to the ancient customs in the same burgh hitherto used and approved of.

Grant of fines, amerciaments, goods of attainted, felons, etc.

'And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, from time to time may, and may be able the better to sustain and support the burthens and expenses of the burgh aforesaid, of our special grace and of our certain knowledge and mere motion we have granted, and by these presents, for us, our heirs and successors as much as in us lies, do grant and special licence, free and lawful faculty, power and authority do give to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors to have, acquire and receive, to them and their successors for ever, as well of us, our heirs and successors, as of our subjects and liege people whomsoever, or of any other person or persons whomsoever, manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments whatsoever, which of us, our heirs or successors, are not holden immediately *in capite* or by knight service so that the same manors, messuages, lands, tenements, tythes, rectories, rents, reversions and services or other possessions or hereditaments by the same mayor, bailiffs and burgesses of the burgh aforesaid and their successors, so as aforesaid to be had, acquired and received in the whole do not exceed the value of £60 per annum, the statute that lands and tenements be not given in mortmain or any other statute, act, ordinance, provision, restriction to the contrary heretofore had, made, decreed, ordained or provided, or any other cause or matter whatsoever in anywise notwithstanding. We give also and by these presents for us, our heirs and successors, do grant to all and every subject, and subjects of us, our heirs and successors, power, licence and authority that the manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments

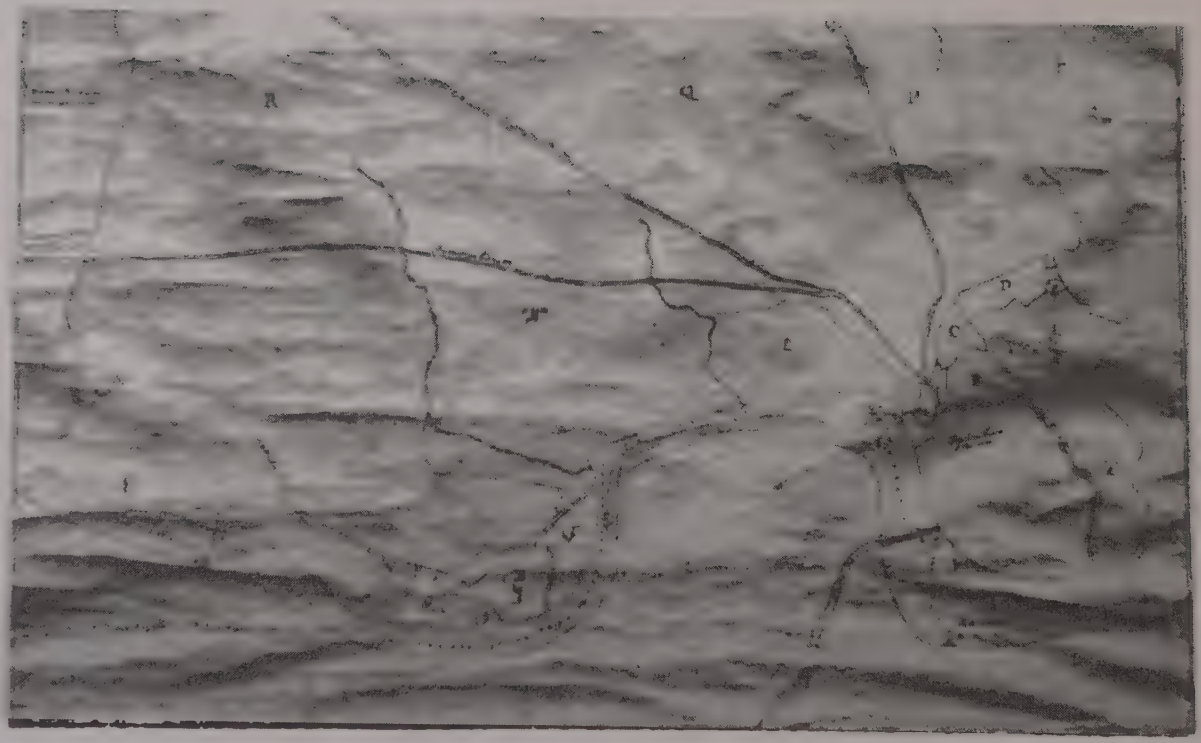
Licence to purchase lands not exceeding in value £60 per annum, notwithstanding the Statutes of Mortmain.

* *Sic* in office copy, but the word 'bailiffs' is evidently meant for 'recorder;' and *sic* in Raine's 'North Durham.'

whatsoever, which of us, our heirs or successors, are not held immediately *in capite* or by knight service, to the aforesaid mayor, bailiffs and burgesses and their successors may give, grant, alien or convey, so that the same manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments do not exceed the clear yearly value of £60, the statute that lands and tenements be not given in mortmain, or any other statute, act, ordinance, provision or restriction to the contrary thereof heretofore had, made, decreed, ordained or provided notwithstanding.

Grant of Lands, etc.

'And further of our more abundant special grace and of our certain knowledge and mere motion we have given and granted, and by these presents for us, our heirs and successors, do give and grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, All that our lordship, manor, burgh, town and soc of Berwick-upon-Tweed aforesaid, with all and singular their rights, members and appurtenances whatsoever; And all our houses, edifices, buildings, stables, storehouses, lands, tenements, cottages, wastes, foundations and soil whatsoever within the lordship, manor, burgh, town and soc aforesaid being; And also all those lands and fields to the said burgh adjoining, commonly called the bounds and fields of Berwick; And also all those our lands, tenements, meadows, feedings, pastures and hereditaments whatsoever, with the appurtenances situate, lying and being within the aforesaid lordship, manor, burgh, town and soc, and in and within the bounds and fields of Berwick aforesaid, the suburbs, limits, liberties and precincts of the same, and every of them, as the same lie and are situate by the ancient and accustomed limits, metes and bounds hereinafter written (that is to say) beginning at the Port of the burgh aforesaid and so proceeding or going forward towards the north by the sea shore and the sea banks to a certain path or way commonly called the Bound Road [the division between England and Scotland], and by the bound road aforesaid westward to the river Whitteter and so passing over the said river Whitteter and going and proceeding along the bound road aforesaid to the river Tweed, that is to say from the deep sea to the river Tweed aforesaid, by the bound road aforesaid, or other the metes, limits and bounds used and accustomed, whereby the said lands, fields and bounds of Berwick aforesaid are separated and divided from our Kingdom of Scotland, and so descending and going along the said river Tweed towards the east to the aforesaid port of the aforesaid burgh of Berwick; And also all and singular our messuages, mills, houses, edifices, buildings, barns, stables, dovecots, gardens, orchards, cartilages, shops, cellars, sollars, lands, tenements, meadows, feedings, common pastures, demesne lands, wastes, furze heaths, marshes, moors, fruits, profits, waters, piscaries, fisheries, suit, soc, rents, reversions and services, rent charges, rents sect and rents and services, as well of free as of customary tenants, fee farms, annuities, Knights' fees, wards marriages, escheats, releases, heriots, fines, amerciaments, courts leet, views of frank pledge, perquisites and profits of courts and leets and all things belonging to a court leet and view of frank pledge, waifs, rights, jurisdictions, franchises, privileges, profits, commodities, advantages, emoluments and hereditaments whatsoever, with every of their appurtenances of whatsoever kind, nature or species, or by whatsoever names they are known by, named or called, situate, lying or being, coming, growing or arising, whether within the aforesaid lordship, manor, burgh, town and soc aforesaid, or in or within any one or more of them or within the suburbs, liberties, limits and precincts of the same, or within the metes, limits and bounds above written or any of them to the aforesaid lordship, manor, burgh, town, soc and other the premises lastly hereintofore by these presents given and granted, belonging or appertaining, or as being members, parts or parcels thereof, or parcels of any of them ever heretofore had known, accepted, occupied or reputed; And also the reversion and reversions whatsoever of all and singular the aforesaid lordship, manor, burgh, town, soc and other the premises above, by these presents given and granted and of every parcel thereof. Except always, nevertheless, and out of these our letters patent and grant reserved, all that Castle with the appurtenances situated upon the walls of our aforesaid burgh of Berwick-upon-Tweed, and all that house lately built within the Castle



aforesaid, and all buildings and edifices to the said Castle and House lately built or to either of them belonging or appertaining; And all that water mill commonly called The Castle Water Mill, situate and being nigh the walls of the aforesaid burgh of Berwick-upon-Tweed, now or late in the occupation of one Denton, widow, or her assigns; And all those lands, tenements, closes, and other hereditaments whatsoever, known and called by the several names of The Inner Castle Hills enclosed and The Utter Castle Hills not enclosed, the New Water Haugh and Lunsdanes Anney, Gaynes Lawe, Corke Haugh, The Snuke and The Mawdlen Feild, The Coneygarthes and The Marshalls Meadowe, near Lamerton; And all that meadow called The Horsemen's Batte, and all those meadows now or lately called or known by the name of the Horsemen's Meadows and all that meadow commonly called The Yellowe Gowland adjoining to or upon the Laytham and extending to the Eastern and Western Mortinton; And also except and out of these our letters patent entirely reserved also those piscaries and fishing places beginning at Finchawe and extending in and by the river Tweed to the deep sea, and also excepted and out of our letters patent entirely reserved all these lands and meadows commonly called or known by the several names Broadshaughe, Borrey Anney and Ethermouthe Anney existing in or near the aforesaid burgh of Berwick-upon-Tweed; And also except and out of our present letters patent entirely reserved all these two windmills situate and existing within the limits, bounds, liberties or precincts of the aforesaid burgh of Berwick-upon-Tweed, and also except and out of our letters patent entirely reserved all other lands, tenements, meadows, feedings, pastures, liberties, privileges, franchises, commodities, emoluments and hereditaments whatsoever to our beloved counseller George Howme Knight, Our Treasurer of Our Kingdom of Scotland and Chancellor of our Exchequer by certain other our letters patent before given and granted, or mentioned to be given and granted, To have, hold and enjoy the aforesaid lordship, manor, burgh, town and soc aforesaid and all and singular the premises above by these presents granted with all their appurtenances except as before excepted to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors, to the only and proper use and behoof of them the mayor, bailiffs and burgesses of the burgh aforesaid and their successors in fee farm for ever; the said lordship, manor, burgh, town and soc aforesaid and other the premises with the appurtenances to be holden of us, our heirs and successors, in fee and common burgage, yielding and paying yearly to us, our heirs and successors, of and for the aforesaid lordship, manor, burgh, town and soc aforesaid, and for other the premises above by these presents granted with the appurtenances, £20 of lawful money of England at the receipt of the Exchequer at Westminster of us, our heirs and successors, or to the hands of the bailiffs or receivers of the premises for the time being at the feasts of the annunciation of the blessed Virgin Mary and of St. Michael the archangel by equal portions yearly to be paid for ever for all other rents and services, exactions and demands whatsoever therefore to us, our heirs and successors, in any manner to be yielded, paid or performed; And further of our more ample special grace and of our certain knowledge and mere motion we will and grant by these presents for us, our heirs and successors, to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that these our letters patent or the inrolment of the same will be in all and by all valid, good, sufficient and effectual in law, toward and against us, our heirs and successors, as well in all our courts as elsewhere within our Kingdom of England without any confirmation, licence or toleration of us, our heirs and successors, to be procured or obtained afterwards by the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid or their successors, notwithstanding the misnaming, the mis-reciting or non-reciting the aforesaid lordship, manor, burgh, town and soc aforesaid and other premises or any parcel of it; And notwithstanding the not finding of offices or inquisitions of the premises or of any parcel thereof by which our title ought to be found before the making of these our letters patent; And notwithstanding there is not full, true and certain mention made of the names of tenants, farmers, or occupiers of the premises or any parcel thereof; And notwithstanding the omission or non-declaration of the annual value of the premises or any parcel thereof; And notwithstanding any of

the defects of the certainty of computation or declaration of the true annual value of the premises or any parcel thereof or of the yearly rents reserved of and upon the premises or of and upon any parcel thereof; in these our letters patent expressed and contained; And notwithstanding any other defects in the not naming or wrong naming any tenant, farmer or occupier of the premises or of any parcel thereof; And notwithstanding the Statute in Parliament of King Henry the Sixth, late King of England, our predecessor, made and published in the eighteenth year of his reign; And notwithstanding the statutes of lands and tenements not to be given in mortmain; And notwithstanding any other defects in the not right naming the nature, kind, sort, quantity, quality of the premises or any parcel thereof.

'And further, of our more ample special grace and of our certain knowledge and mere motion, we grant and confirm for us, our heirs and successors, to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, all and all manner of lawful liberties, grants, franchises, immunities, privileges, exemptions, quittances, jurisdictions, customs and free usages, as well by land as by water, as well within as without the burgh aforesaid, the suburbs, limits, liberties, and the precincts of the same, through our whole land and power in these our present charters or in any other charters of our progenitors or predecessors, kings and queens of England, expressed or not expressed; And also all and singular the same and such lands, tenements, hereditaments, customs, liberties, privileges, franchises, immunities, quittances and exemptions and jurisdictions as the mayor, bailiffs and burgesses of the burgh aforesaid or any or either of them, by what names or name soever or by what incorporation soever or pretence of any incorporation they heretofore have had or enjoyed or ought to have, hold, use or enjoy, to them or their successors for ever of estate of inheritance by reason or virtue of any charters or letters patent or of any usage, prescription or custom or by any other manner, right or title heretofore had, used or accustomed; notwithstanding that any charter aforesaid by Robert de Brus, King of Scotland, our progenitor, was carried away and removed, and notwithstanding that the said burgh of Berwick came to the hands of our progenitors, kings of Scotland, after the said grant of our said progenitors, kings of Scotland, and although the said mayor, bailiffs and burgesses of the burgh aforesaid or their predecessors or the burgesses of the said burgh, or any one or more of them, by whatsoever names or name or by whatsoever incorporation or pretext of any incorporation heretofore known, and whether incorporated or not incorporated, have used or enjoyed or have not used or enjoyed the said liberties, grants, franchises, immunities, privileges, customs and free usages; And we of our special grace all and singular the things above granted and recited for us, our heirs and successors, to the same mayor, bailiffs and burgesses of the burgh aforesaid, do grant and confirm and for ever corroborate by these presents wherefore we will, and firmly enjoining command for us, our heirs and successors, that the aforesaid mayor, bailiffs and burgesses, and their successors, shall have, hold, use and enjoy for ever all the liberties, authorities, jurisdictions, franchises and quittances aforesaid, according to the tenor and effect of these our letters patent without let or hindrance of us, our heirs and successors, or our justices, sheriffs or other our bailiffs or ministers whomsoever, or of any or either of them; We being unwilling that the same mayor, bailiffs and burgesses and the men of the burgh aforesaid, by reason of the premises or of any of them by us or by our heirs or the justices, sheriffs, escheators or other bailiffs or ministers whomsoever of us, our heirs or successors, be therein hindered, molested or aggrieved or in any thing disturbed; Being willing and by these presents we order and command as well our treasurer, chancellor and the baron of our exchequer at Westminster, and all the justices of us, our heirs and successors, as also our attorney and solicitor-general for the time being, and each of them and all other our officers and ministers whomsoever, that neither they nor any of them any writ or summons of quo warranto or any other, our writ, writs or processes whatsoever against the mayor, bailiffs and burgesses or the men and inhabitants of the burgh aforesaid or any of them for any causes, things, matters, offences, claims or usurpations or any of them by them

Confirmation of Prior Charters.

or any of them due, claimed, attempted, used, had or usurped before the day of the making of these presents, prosecute or continue or make or cause to be prosecuted or continued; Being willing also that the mayor, bailiffs and burgesses and men of that burgh or any of them by any of the justices, officers, ministers aforesaid in or for the debt, use, claim or abuse of any liberties, franchises, or jurisdictions within the burgh aforesaid, the suburbs and precincts thereof, before the day of the making of these our letters patent shall not be molested or hindered, or for these things or any of them be compelled to answer; We will also, etc., without fine in hanaper, etc, because no express mention, etc. In Witness, etc., T.R. at Westminster, 30 April, by Writ of Privy Seal, etc.'

During the Session of Parliament which commenced on the 19th March, 1603-4, and ended on 7th July, 1604, two private Acts were passed; the one to naturalize Sir George Home, his wife and children; and the other to confirm letters patent to him above mentioned and other letters patent containing grants to him of lands, etc., in Tweedmouth and elsewhere in the County Palatine of Durham. In the same Session the Mayor, Bailiffs and burgesses presented a petition to his Majesty that he would, 'of his abundant grace and bounty and his especial favour and gracious disposition and inclination towards the advancement and establishment of the estate and public good of the borough, pass an Act of Parliament for the confirmation of the Charter.'

A Bill was accordingly brought into the House of Commons and read the first time on 11th May, 1604. After some amendment by the House of Lords to which the Commons assented, the Royal consent was given in the following month. This Act recites the petition of the Mayor, Bailiffs and burgesses, and enacts that the Charter from and after the end of that Session of Parliament (July 7, 1604) shall stand, remain, continue and be and from henceforth for ever be taken, reputed, deemed, adjudged good, sure, perfect, effectual and available in the law to all intents, constitutions and purposes against the King, his heirs, and successors, that the Mayor, Bailiffs, and their successors, shall and may from henceforth for ever have, hold, use and enjoy the franchises, etc., the Seigniory, Manor, Burgh, Town and Soke and other hereditaments by the Charter granted to them under the tenures, rents, reservations and services therein contained against his Majesty, his heirs and successors, and also shall and may from henceforth for ever have, hold, use and enjoy all franchises, customs, etc., which now are or at any time heretofore were to the burgh belonging and granted and confirmed by the said Charter.

On July 16th, 1604, the King's Privy Council sent a written order to Captain William Bowyer, Captain of the newly-established garrison at Berwick, intimating that his Majesty's pleasure was that the Mayor, Bailiffs and burgesses should enjoy the benefit of the grant of certain houses and buildings within and about the town, and other things in his Charter to them contained in all respects with favour, and requiring him to assist in giving them possession of all these things. On the same

day, the Privy Council, in a letter to the Mayor, Bailiffs and burgesses, signified his Majesty's pleasure that such of the late garrison as had been put on pension and as the Corporation thought fit to admit to be burgesses, might accept their freedom without loss of their pensions.

While these Acts, confirmatory of the Charters to Sir George Home and the Corporation respectively, were being passed, mutual releases, dated May 1, 1604, were executed between Sir George and the Corporation, on either part, for the lands that each had received from the King, the Corporation granting to Sir George 'all that great new granary or storehouse builded of stone situate within the Palace in Berwick.'

'Shortly after the last deputation arrived from London, July 31, 1604, Michael Sanderson, Maior, Thomas Parkinson, John Ord, Matthew Johnson, Mark Saltonstall, and Hugh Gregson, Aldermen, and the Bailiffs and other burgesses of the burgh of Berwick, in the name and for the use of the Maior, Bailiffs and burgesses of this burgh of Berwick and their successors, did peaceably take reall and actuall possession of the Pallace in Berwick with the houses, buildings and appurtenances thereunto belonging, and also of a great house called the Lord Governor's House; of the Controller's House; of Burrell's Tower; of the Maison Dieu and the house and forge there; of one storehouse called Ravendale Chapel; of the King's stables and the yard thereto belonging; of the storehouse-yard late for munition, with the houses thereto belonging; of the Chamber on the wall and the waste within the said burgh, in name and seisin and possession of all other the King's Majesty's Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever in Berwick to them the said Mayor, Bailiffs and burgesses, and their successors, granted by his Majesty's Charter, and letters patent dated 30th day of April last past; and William Bowyer, Esq., Captain of her Majesty's new-Established Garrison of Berwick, with many others of the said Garrison, was present and assisting at the time of the said possession and seisin, so had and taken according to the tenor of certain letters to him, the said Captain Bowyer, from the Lords of his Majesty's most honourable Privy Council directed in that behalf.'

In like manner, on August 2, 1604, the Mayor, Bailiffs and burgesses took formal possession of all the meadows and lands granted by the Charter, and noted the number of 'horse, kyne, sheep and other cattle pasturing in the said meadows and the owners thereof.'

Next day a meeting of Guild was held to consider how they were to meet all the expenditure that had been incurred. It was determined to lay a tax upon all horses, cows and sheep pasturing in the fields; 10s. for every horse, 5s. for every

cow, and two young cattle to count as one cow; old sheep 10s. a score, and two hoggs of last year's lambs to count as one old sheep. This taxation was not to hold as a precedent, nor to be laid on next year. But in three days' time, it was reduced to the following: every horse 6s. 8d., every cow 3s. 4d.; the sheep remained the same, but every truss of hay was to be taxed 2d. Robert Jackson, Collector of Customs, John Shotten, Leonard Fairley and Stephen Jackson, Bailiffs, were appointed Collectors.

On September 29, 1604, the Mayor, Bailiffs, burgesses and *all the commoners of the burgh* of Berwick met together to elect new officers for the town. Before proceeding with the business on hand, the labours of Michael Sanderson and Thomas Parkinson, in obtaining the Charter, were recounted, after which the said Michael Sanderson 'delivered to the towne as the fruit of our labour and travell, our dear Soveraigne Lord, King James, His most gracious and bountiful charter, consisting of four skinnes of large vellum under the great seal of England, bearing date at Westminster the 30th day of Aprill last.'

There were likewise exhibited at this great meeting, 'a statute and act made at the Parliament begun and holden at Westminster the 19th day of March;' also the two letters from the Lords of the Privy Council, already mentioned; also the deeds of indenture between the town and Lord Home for delivery of the great storehouse, and the lease and release between the town and Lord Home. These were all handed over to the custody of the town.

This large meeting confirmed the work of the deputation thus: 'All the burgesses and *commoners* of the borough and corporation do willingly and cheerfully acknowledge the great merit and desert of this deputation in so faithfully, discreetly, diligently and constantly attending and prosecuting the affairs of the town committed to their care, and that with so happy a success.' It also acknowledged 'the manifold favour' done to the town by Lord Home (a mark of which was the gift of the great storehouse to him).

The meeting then proceeded to elect officers for the town. Thomas Parkinson was elected Mayor, Leonard Fairley, Alderman *pro anno*, Laurence Harker, Town Clerk and Coroner, etc.

Still the Corporation had difficulty in meeting the expense of the Charter. Michael Sanderson, as Mayor, disbursed the larger part of the money as it was needed, and on February 6, 1606, the town was due him £252 14s., which it undertook to pay in four years, 'and £10 extra for delaying the payment so long, and he is to have £12 14s. at present from shepe's grass money.' Seventeen burgesses became bond to see him paid £50 by the year and £60 on the last day of the year 1610.

Ecclesiastical History.

IN pre-Reformation times there were in Berwick four churches—the Church of St. Lawrence, the Church of the Blessed Mary, the Church of the Holy Trinity, and the Church of St. Nicholas. Four or five orders of monks had houses in the town: the Dominican, Black, or Preaching Friars; the Franciscan, Grey, or Minors; the Carmelites or White Friars; the Trinitarians or Red Friars; the Augustine or Austin Friars, or Friars Eremites of the Order of St. Austin. A difficulty arises about this last as to whether it was not one of the above orders. There were three hospitals in Berwick, the Hospital of St. Mary Magdalene, the Domus Dei, and the Domus Pontis, or Brighous. The Austin Friars of Segden were attached to the first. There were at least two nunneries—the Cistercian Nuns of South Berwick, and the Cistercian Nuns of Halidon Hill, called also Halystan; and probably the Convent of St. Leonard. If the Halidon Hill convent was not called St. Leonard, then there was a third called by that name. There were besides several chantries founded in the different churches. Each of these churches, friaries, nunneries, and hospitals we shall now present in order. This is a subject of great difficulty, for their history is somewhat obscure, and details are altogether wanting. Only remnants and hints are left, so far as I have been able to discover, of the ecclesiastical history of ancient Berwick.

THE CHURCH OF ST. LAWRENCE.

Outside of Berwick, and extending from the old Scotchgate, at the top of Castlegate, along by the houses of Castle Terrace, stretched in olden times the village of Bondington. In this village this church was placed. It was within the Diocese

of St. Andrews, and the Deanery of the Merse.* It will be remembered that a few years ago, when Cheviot House, in Castle Terrace, was built, that the foundations of a church were laid bare, and the remains of a churchyard (several graves in which I saw opened). The foundations of the church showed a building 90 feet in length, with a square tower at the west end, 25 feet square; this is, undoubtedly, all that remains to us of the Church of St. Lawrence. Of its history otherwise we learn that Roger Fitz William, probably the founder, gave it to the monks of Kelso.† This grant was confirmed by the Bishop of St. Andrews,‡ and again by Malcolm IV. About 1174 this church was given by the Kelso monks to the Durham monks,§ and this gift was confirmed in a full Synod in St. Cuthbert's Church in Edinburgh, by Richard of St. Andrews, who confirmed to the church at Durham and the monks there, the Church of St. Lawrence in Berwick, in perpetual alms, according to the agreement between them and the monks of Kelso. This was witnessed by the Archdeacon of Lothian, etc. The agreement between the Church of Durham and the monks of Kelso included the Church of St. Lawrence, with all its appurtenances, and, in augmentation, the tithes of a carucate of land, so that they should not retain any tithes in their hands which they had in the same town, except the tithes of one-half of the fishery called Berwick Stream, which should remain to them for ever.‖ Between 1188 and 1202, Bertram, Prior of the Convent of Durham, gave and confirmed to Walter Fitz-Robert, late parson of Edinham, that half a carucate of land in Bondington which belonged to our church in Berwick, to hold to him in fee, subject to the yearly payment to our said church, four shillings, payable half-yearly; Roger, Bishop of St. Andrews, with Earl Patrick, and Eda, a chaplain of Berwick, were witnesses.¶

THE CHURCH OF THE VIRGIN MARY.

Of the Church of the Virgin Mary, which Chalmers says was a consecrated church of the village and parish of Bondington, we know that it was placed almost on the site of the present walls on the east side of the street at the present Scotch-gate. This we learn from a petition presented to the King, when the burgesses were prosecuting the building of the parish church in 1648; for they give as a reason for its necessity that they have now only one church, which is in a ruinous state; and the other, St. Mary's, was removed when the walls were built. Remains of a churchyard were found at the building of the water-cistern, a little further north

* Chalmers' 'Caledonia,' vol. ii.
† 'Chartulary of Kelso' (1128-1158).
‡ *Ibid.* (1156-1163).
§ 'Chartulary of Coldingham.'
‖ Stevenson's 'Transcripts from the Treasury of Durham.'
¶ *Ibid.*

than the gateway mentioned. This church must have existed from very early times, quite as early as its neighbour church, St. Lawrence, for David I. gave the Church of St. Mary to St. Cuthbert and his monks, in exchange for the church at 'Mailros.' He also gave it lands and tithes. This was confirmed by several Bishops of St. Andrews, and by Henry, Earl of Northumberland.

THE CHURCH OF ST. NICHOLAS.

The site of this church is more difficult to name than that of either of the two previous churches. The only clue left is the name St. Nicholas, given to the last mount of the old walls, which corresponds to the King's mount on the modern walls. It was so called in the Survey of King Henry VIII. 'St. Nicholas' occurs now and again as a name in that part of the town. There are remains of a churchyard, or burying-ground, where the present coast-guard houses are built above the Pier Road. This burying-ground stretches back towards the old walls as far as the present cricket-ground extends. Taking the fact of this burying-ground along with the fact that St. Nicholas's Mount was in close proximity, we are led to suggest that the church of this name may have stood in the neighbourhood. Nearer than this it would not be safe to locate the building. Wherever it was, its early existence is undoubted. It is named in the Laws of the Guild as the place where some of the later orders of that code were framed in 1281. 'Also a statut maid in the Church of Sent Nycollas.' From Stevenson's 'Transcripts' we learn that David, Bishop of St. Andrews, dedicated the Chapel of St. Nicholas of Berwick to the mother-church of Holy Trinity of that place, which the monks of Durham held, with the appurtenances thereunto belonging by a full right, their right being preserved to them, so that they might not be prejudiced by their own dedication. It would appear from an endorsement that the term 'Monks of Durham' means the 'House of Coldingham.' There was an altar dedicated to St. Eleme in this Church of St. Nicholas. Edward III. (20th October, 1335,) granted to Henry de Balmburgh a messuage in Briggate, under the annual rent of 6s. 8d. to the Crown, and seven marks to John de Wakefield, chaplain, and his successors celebrating Divine Service at this altar.* From the fact that it was called a chapel in the above dedication, and also that the seven marks were left to a chaplain, we may conclude that this church was smaller, and of less importance than the others, which are never so named.

* 1 'Rot. Scot.,' p. 97.

THE CHURCH OF THE HOLY TRINITY.

This is, in all probability, the oldest foundation in Berwick, since it has always been, as far as we can trace, the parish church of Berwick-upon-Tweed. It seems uncertain whether the Church of the Holy Trinity belonged to Durham or not in early times. It belonged to Kelso Abbey in the twelfth century. Then, again, the Church of Berwick (Trinity?) belonged to Durham in 1156, and the Prior of Coldingham was bound to pay to the perpetual vicar five marks annually. W., the perpetual vicar, complained that the Prior of Coldingham withheld the pension from him, and on that account was not able to reside in his cure, if it was not paid. A letter was sent from Durham insisting on the payment.* In a general form the following occurs: 'Richard, Bishop of St. Andrews (inter 1163-1178) grants and confirms to the Church of St. Cuthbert of Durham, and the monks serving God there, the churches of Berwick, with the lands and waters and tithes and all other their appurtenances.'† Again, 'Roger, Bishop of St. Andrews (inter 1189-1202), for the soul of William, King of Scotland, granted and confirmed to God and St. Cuthbert, and Bertram the prior, and the monks of Durham, all the churches with their chapels, and all the appurtenances of the same churches, which they have in the Bishoprick of St. Andrews, viz., the church of Coldingham and the churches of Berwick.'‡ The only question here is, Did these gifts and grants include the Church of the Trinity? Hodgson (Hist., vol. ii., pt. 3, p. 145) publishes a deed from which it appears that this church was annexed to the cell of Coldingham. The prior was called the rector, and John de Insula Sacra was called perpetual vicar (1360). There are other early notices of this church. About 1233, 'David, Bishop of St. Andrews, to all, etc.,—in the parish church of the Holy Trinity of Berwick certain violence was occasioned to the effusion of blood in our time by a certain secular clerk of Berwick.'§ In 1279, in the Kelso chartulary, we are informed of a controversy between Walter, perpetual vicar of the Church of Robertdeston of Glasgow Diocese, and the sub-prior and sacristan of Coldingham, being settled in the Church of the Holy Trinity of Berwick. Lawrence, the Vicar of Berwick, is mentioned in the Kelso chartulary as witness to the donation of lands by Adam Uddin in Uddingate, and he is likewise witness of a grant of confirmation of the above along with William Brune, Master of the Nunnery, Simon Maunsel, and others, in the year 1227. William de Angerham, vicar of this church, swore fealty to Edward I. in 1296,‖ and received letters of protection from him.¶ In

* V. 7, 1 Faustina, A. V. 1, 12b. † Stevenson's 'Transcripts from Durham Charters.'
‡ *Ibid.* § Coldingham Charters. ‖ Prynne, vol. ii. 659. ¶ 'Foedera,' vol. ii. 724.

the church are two altars, one dedicated to St. Mary and another to St. John the Baptist, to each of which was appropriated a messuage in Marygate.* In 1267, Roger, Prior of Coldingham, of the Benedictine Order in the Diocese of St. Andrews and the convent of the same place, granted to the Friars de Penetentia Christi that they might build and have edifices and an oratory in the town of Berwick and within our parish church of the Holy Trinity of South Berwick if they cared, and there under their rule serve God, of which grant they accepted. And they promised, that out of the townes lands, etc., bestowed upon them or given them by the devotion of the faithful, they would satisfy the said church yearly for such portion of money to the rector and vicar as shall be estimated by faithful men, except those areas only ordered before the execution of those presents. They were allowed a burial-ground.† It is proved by this agreement that the Church of the Holy Trinity belonged to Coldingham. In the Dryburgh chartulary the cemetery of this church was said to be the boundary of a property on the northern part. In 1301, Anthony Beck is said to have built a large church at Berwick,‡ but there is nothing in the reference to connect this building with any of the churches. In 1325, William, Prior of the Church of Durham, and the convent there, to Adam, Prior of the Church at Coldingham, was to report for the appointment of a parson to the vacancy ad vicariam ecclesie parochialis de Berewyk-Super-Twedam. In 1330 there are public instruments over the re-formation of peace between the monks at Durham and the Abbot of Kelso about the tenths of lands which the Lord Abbot held within the parish church of the Trinity in Berwick.§ In 1335 the King gave the rector for purchasing a cloth of gold for a pall to place over the body of Ralph Molyns, his Scutifer, buried in this church, 13s. 4d. at Berwick by his own proper hands.‖ 'On the 24th May, 1368, there was a meeting between the Prior and Sub-prior of Durham, and other monks of the cell of Durham on the one part, and John de Insula Sacra, perpetual vicar of this Church of the Holy Trinity in Berwick, united and annexed, as he asserts, to the said cell of Coldingham, of the other part, at which they treated *De Portione* of the vicar and vicarage aforesaid, and the Prior of Coldingham said that the vicar and his successor should receive annually from Coldingham £20 sterling by quarterly parts. The vicar was to support and bear all burdens, except the building and repair of the chancel, which was to be done at the expense of the Prior and Convent of Coldingham. The Prior and Convent of Durham consented to this, and the vicar also consented.'¶ In 1358,

* 'Rot. Scot.,' A.D. 1337.
† Stevenson's 'Transcripts.'
‡ Kennet's 'Par. Antiq.,' p. 347.
§ Coldingham Charters.
‖ MSS. Cott., Nero C. viii., f. 207*b*.
¶ Stevenson's 'Transcripts.'

receipt for eleven marks eleven shillings and tenpence by the authority of Robert de Gamelton, chaplain or perpetual vicar of the Church of the Holy Trinity of Berwick, from John Nynepenny, chaplain, and John de Greystanes, burgess of Berwick, agents of the prior and convent of the Priory of Coldingham in full of twenty marks, which the said prior and convent owed the vicar by their bond.*

The early vicars of Berwick are as follows, taken from the Randall MSS., in the Appendix to some copies of Hutchinson's 'History of Northumberland.' I have supplemented the list from various sources:

Lawrence, the first mentioned, about 1227, in Coldingham Charters. John de Soules was vicar in 1291. William de Angerham, from Fishwick, was appointed Vicar of the Trinity instead of John de Bamborough, who was presented before he was in orders. Bamborough, after ordination, was sent to Fishwick and afterwards succeeded Angerham on his death in 1299. John de Tarent became vicar January 6, 1330. This name I do not find in documents. In 1330 John de London, Mayor of Berwick, and the community, requested the consent of the prior and convent of Durham to the appointment of John de Ederam, chaplain, to the vicarage now vacant. Tarent had been appointed, notwithstanding the above request. Robert de Gamelton, or Galmston, succeeded in 1340; then on his resignation, September 23, 1356, Robert de Willes, Wielmsthorp, or Wollestorp,† was appointed. When he resigned, Thomas de Kellaw, chaplain, became vicar, April 19, 1358. John de Insula Sacra was presented on Kellaw's resignation. John died in 1374, and was succeeded by William de Sherborne. This vicar had not held his place long, for William de Blaktoft, Vicar of the Church of Holy Trinity, resigned in 1384. It is probable that Blaktoft preceded Sherborne, for his name is omitted altogether by Randall. John Pays, in 1396, is said to have succeeded Sherborne. Then William de Werdale, 1398, was presented on Pays' death. The next, William de Durham, can scarcely be correctly dated. He stands in Randall's MSS. as succeeding in 1401. But 'Ex Originale Carta in Thesaurario Ecclesiæ Cathedralis Dunelmensis' we read: 'Orator William Wardale perpetuus vicarius parochialis ecclesie de Berewyke dioc Sancti Andreæ monet seu monere intendit contra et adversus priorem et conventuum de Colyngham, et William Barber de Berewyk (1408). William could not be *mort* in 1401 and *orator* in 1408. William Castell succeeded Durham in 1446; then Alan Hyndmerse in 1484.‡ William Marshall was appointed in 1507. Thomas Thompson, May 2, 1536, *pro mort.* Marshall.

It will be noticed that up to the beginning of the fifteenth century the changes were very frequent; after that the incumbencies are remarkable for the length of their duration. The remainder of the vicars I shall name in detailing the post-Reformation history.

* Stevenson's 'Transcripts.'

† Stevenson writes the first two forms in his MSS., Randall the third.

‡ 'John, Prior of Durham, constituted John Danby, Prior of Holy Island, and Alan Hyndmersse, Vicar of Berwick, his officials, etc., in his appropriate churches and chapels within the shires of Norham, Island and Northumberland.'—Raine's 'North Durham,' p. 123.

THE FRIARIES AND NUNNERIES.

The Red or Trinity Friars.

William the Lion founded a convent of this order in Berwick, which, we have seen, built an oratory in the Church of the Trinity.* The head of the order was called a Minister, and their object was to relieve captives.† Cardonel says their object was to redeem captives from Turkish slavery. Spottiswoode says that 'Tertia vero pars reservetur ad redemptionem captivorum qui sunt incarcerati pro fide Christi a paganis.' Frere Adam, minister of this order, swore fealty to Edward I., and had a writ of restitution of the possessions of the house.‡ In the *Border Magazine*, p. 199, it is said, 'that the Red Friars followed the rule of St. Augustine. They had a church in Berwick, called the Chapel of Ravendale. The brethren in the house were banished in the reign of Edward III.' It is almost certain that this chapel was connected with the Red Friars. The locality of their friary is generally understood to have been in the same part of the town as the House of Ravensdale, which was certainly *prope portam ad Pontem*§ *Berewici*.

Reference to this chapel frequently occurs in the Guild Books. In the time of Elizabeth it was used as a storehouse for arms, armour, and lumber; and was situated where the house and granaries now are, between West Street and Bank Hill, on the north side of Love Lane. In the first Inrolment Book (in Berwick archives) it is said, 'that in Briggate North is Ravensdale, late a chappell and now a storehouse, containing in length 30 yardes and in bredth 26 yardes. It is in the Queenes Majesty's possession, and occupied as a storehouse for her Majesty's provisions, and not rented.' On October 18th, 1647, 'the old chapel of Ravensdale, and the ground on the back of it, and a waste tenement near the shore-gate, was demised for £20 to Wm. Anderson, jun., for 99 years, and an acknowledgment of 13$^{d.}$ per annum. On the following January he relinquished his bargain as very bad, and gave £8 to be quit of it. It was then let for £12 to Thos. Watson for 99 years, and a like sum of 13$^{d.}$ per annum. In 1651 a piece of additional ground was added to this, because of the custom of the inhabitants throwing dust and ashes and waste on to it; and it was conveyed to Watson, who is now Maior.' In 1740 the lease of the ground was continued to the grandson of Watson, then 'Thomas' as well. In 1811, old men were examined as to this property, and it was found to be the general belief that a chapel had existed here. One of them asserted that he stepped on a broad flat stone, which went down with him, as he con-

* Chalmers' 'Caledonia,' vol. ii. † *Ibid.* ‡ 'Foedera,' vol. ii., p. 724.
§ The previous bridge, not the present structure. ‖ Hutchinson's 'Northumberland,' vol. ii.

ceived, into a cell or burying-ground belonging to this chapel, and that the ground belonged to Watson as a waste; and that the ground had been built upon by Ralph Forster as at present, with granaries and house. One lady averred she played in the timber-yard as a child, and her father, a servant to Forster, had told her not to go to a certain place where a chapel had been, lest she should see skulls.

The House of the Dominicans.

This order, called Preaching, Black, Jacobin, or Dominican Friars, came first into England in 1221. According to their rules, they renounced all worldly possessions and abstained from eating flesh from September to Easter. They lay neither on feather-beds nor in sheets, but on a mattress. Their habit was a white gown with a scapulary, which they pretended was prescribed by the Virgin Mary.* Alexander II. founded in Berwick a convent of his favourite Dominican or Black Friars in 1230. He endowed them with a revenue of 40 marks out of the ferm of the town, and this endowment was confirmed by Robert Brus, who added an additional rent of a mill at Berwick. In 1296 Edward I. granted letters of protection to William de Hoden, the provincial Prior of the Order of Fratres Predicatores of England, Scotland, and Ireland, and to Robert de Wynethorp, Vicar of Scotland, and Philip de Redman, 'gerens vices prioris in conventu Berewyci,' and other English Friars of this order destined to go to Scotland, directed to Warenne the Custos. And then Edward ordered the rolls of accounts of Alexander III. and John to be examined in various towns, to ascertain the allowance of the monks of this order, and directed his officers to allow as much for alms as had been done.† They had a grant from John de Baliol, King of Scotland, *de firma Ville:* this grant was to be continued for one year. On July 1st, 1301, Edward gave the friars of Berwick 6s. by the hands of William de Wrotham, at Berwick, for their maintenance for three days. On the 16th he gave them 2s. 8d., and on the 19th 2s., for one day, by the hands of Mr. Benedict de Richmond.‡ In the previous December the same King gave these friars 4s. for their maintenance for three days during his stay there, by the hands of Thomas Cook, one of the brethren; and, in the same month, he gave them 4s. for two days' maintenance, viz., the vigil and the feast of Christmas, by the hands of Walter de Wyhterborne.§ On August 13th, 1291, in the Dominican Chapel, close by the Castle, one of the meetings was held in which Edward I. and the magnates of both kingdoms debated the claims of the rivals to the throne of Scotland. Next

* Cardonel's 'Antiquities of Scotland.'

† 1 'Rot. Scot.,' 1296.

‡ Additional MSS. 7966, in British Museum.

§ Topham's 'Wardrobe Accounts.'

year (1292) several persons swore fealty to Edward I. in this church, which is called 'Deserta'* throughout these negotiations.

Under Edward III. frequent mention is made of this convent. The friars had letters of safe-conduct in 1333. Then, on the 10th of August of that year, the Scottish monks were turned out and dispersed through England, and their places filled with English monks. The same action was taken with respect to all the orders in Berwick. On March 2nd, 1334, the King ordered his Receiver of Victuals to deliver them victuals to the value of 20 marks. This was likewise a general order to all the religious houses in the town. We learn further, concerning the Black Friars, that the 40 marks annually out of the ferm of Berwick, with which the kings of Scotland had endowed their convent, were continued to them by Edward III.; and the Chamberlain was ordered to pay this sum annually to the prior and his brethren. This was not always carefully done; for we find 100s. in 1336 paid as being money in arrears, and, in 1340, 40s. were paid to them, and all arrears. Frequent alms were given to this house directly from the King. On September 25th, 1335, he gave 6s. 8d. to John de Rodiard, the companion of Nicholas Herle, coming from Berwick to Perth, to remain in company of the friars. On October 12th of the same year he gave the fifteen friars 5s. by the hands of William Aylmer; and on January 20th, 1336, he gave 5s. to those who met him in procession on his arrival at Berwick, for their maintenance for one day. On December 16th, 1336, he gave 6s. 8d. to twenty friars on his arrival at Berwick, for the same purpose, by the hands of Thomas Deyncourt, who was prior of this house in the year 1337.† The last mention of this house in the Scotch Rolls is July 10th, 1343.

The Prior and Brethren of the Order of St. Mary de Mount Carmel of Berwick.

The Carmelite Friars are the last of the four Mendicant orders in the Church of Rome, and are in all general processions forced to give place to the Dominicans, Franciscans, and Austins. When they first came into England, about A.D. 1240, they were said to have despised learning, but afterwards applied themselves to it. There was a house of White Friars, or Carmelites, founded in 1297 in Berwick by Sir John Gray, whose duty it was to officiate in the Chapel Royal within the Castle.‡ Again, the friars officiated in the King's Chapel belonging to the Castle, for which they had the usual salary given by the Crown.§ In August, 1296, the

* Deserta is 'decayed' in Hutchinson, and 'deserted' in Chalmers.

† Pipe Rolls of Edward III. for this year.

‡ Wallis' 'Northumberland,' ii. 95. § Tanner's 'Notitia,' 396.

prior and friars of this order submitted to Edward I., and obtained his protection; and on September 25th, 1296, the King granted them for ever four pieces of land in Berwick contiguous to their area on the south, and containing in length 19½ perticates, and in breadth 5 perticates, one of which places was rented by John the Plumber from the Prioress and Convent of South Berwick, and for which the prior was to pay 8s. by the year. Also another piece adjoining their said area on the east, containing 13 perticates in length and 3 in breadth, for the enlargement of their area. Edward I. gave them pittances—4s. by the hands of his Almoner, Henry de Bountesdon; 2s. 8d. by Hugh de Riseburgh, a friar of this house. These alms were given in December, 1300; and, in January, 1301, the King gave them 40s. in recompense of the damages suffered by them in their houses and other effects during the stay of the King there in the month of December, by the hands of Alexander de Richemond. The monks received in the same year, on the 7th of July, 6s., on the 16th of July 3s. 4d., and on the 19th 2s. 8d., all from the hands of the same person.

By Edward III.'s order the Scottish monks were replaced by English, and he granted them victuals as to the Dominicans. In 1337 we learn from the Pipe Rolls that Simon de Karl was prior of this house, and that an annuity of £8 had been settled upon it from antiquity, and that this year 20s. of this sum was allowed them out of the Exchequer accounts. In 1338 the house received 40s. of this sum, and in 1341 the £8 was paid in full. The Countess of Buchan was allowed to go to this house in 1310, from her imprisonment in the Cage, after she had found security for her return to confinement when the King demanded.

The Chapel of the Castle of Berwick was closely connected with this convent: *Capella juxta Cameram Domini regis.* Several Scots swore fealty in it to Edward I.* On December 15th, 1299, the chapel in the King's Chamber in the Castle was repaired preparatory to the King's arrival at Berwick this month.† There was a Chaplain of the Castle, who received 4d. a day from the King.‡ On December 24th, 1300, the King gave 20s. into the hands of Master Roger de Hertlepol, the chaplain residing in Berwick Castle, to buy himself a robe; and on December 25th, being Christmas, 8s. 10d. was distributed in oblations at three masses celebrated in the King's presence in his chapel at Berwick; and, on December 29th, 7s. in oblation offered by the King at the *altar* in his chapel *within* the Castle of Berwick, in honour of St. Thomas the Martyr. In January, 1301, to the clerk of this chapel, for assisting at the celebrating of Divine Service in the same chapel, the King gave 6s. 8d. to buy himself a robe. These alms were over and above the extraordinary

* Rymer's 'Foedera,' vol. ii. 567. † Harleian MSS. 626. ‡ Additional MSS. 7966.

alms of the King's son, which his chaplain distributed—viz., 1d. every day in oblation.*

The Franciscans, or Grey Friars of the Order of the Minorites.

The Franciscans received this rule from St. Francis in Italy, in 1182. They were also called Grey or Minor Friars—the one, from their grey clothing, and the other, from their pretended humility. They girded themselves with cords, and went barefoot. They came into Scotland in 1231.† Fordun à Goodall mentions this order in Berwick. The Franciscans were the second order of Mendicants, the Black Friars being the first. The superiors of the house were called wardens or guardians. In 1300 Edward I. granted alms—on December 26th and 27th, 3s. 6d. each day, by the hands of Walter de Wynterburne (Wyhterburne) and John de Richmond.‡ This writ recites that this order had been customary. Edward III. ordered victuals to be given as in above orders, and then he commanded his Chamberlain in 1333 to continue the pension given by the Scottish kings—viz., 20 marks annually. This pension is accounted for as paid up to 1367, when it is no longer noticed in the 'Rotulæ Scotiæ.' In 1337 and 1338, from the Pipe Rolls we learn that Thomas de Lammesleye, or Lambsley, was Guardian of the Minors in these years. Their pension, like that of the other houses, was not regularly paid. In 1340 the monks complained that they would be obliged to leave the town through extreme poverty unless the yearly pension was paid. The Chamberlain did not know what arrears there were. The King ordered an inquisition, and ascertained that De Burgh had paid on his account for 10 Edward III., £1 6s. 8d.; for 11 Edward III., £7 4s. The Chamberlain was then ordered to pay the balance, that the monks need not leave the town on this account. The story of Adam Newton belongs to this order. The location of this monastery is unknown. There certainly was a friary on the Ness, but which it was, there is no means of determining.

The Austin Friars, Grey Friars, or Friars Eremites.

There is considerable difficulty about this house, whether it was not one of the four already mentioned. Mr. Robert Weddell was in doubt on this point. Scarcely any notice of it occurs. It seems, however, that Edward I. gave 4s. to it on his arrival in 1301, by the hands of William de Goseford.‖ Again, victuals are ordered to be given them as to the others. Probably in 1301 he gave them 6s. by

* Topham's 'Wardrobe Accounts.'

‡ Topham's 'Wardrobe Accounts.'

† 'Chronicon de Mailros.'

‖ Additional MSS. 7966, 2*b* a.

his Almoner, and 2s. 8d. by the hands of William de Goseford, a prior of this house.* Raine says that the Holy Island Priory borrowed 26s. 8d. from the Austins in 1406-7. Their habit was a white garment and scapulary when they were in the house; but in the choir, and when they went abroad, they had over the former a sort of cowl and a large hood, both which were girt with a black leather thong.

Over and above all these gifts to the different houses Edward III. granted sixty friars of different Mendicant orders and secular chaplains of the town of Berwick celebrating Divine Service for the soul of Edward II. at the feast of St. Matthew the Apostle, by the hands of Robert Tong, to each of them 4d.—20s. in all; and to the church daily he gave by the hands of Matthew his chaplain for oblation for 141 days (viz. 3d. a day) 35s. 3d. The King, at this time, seemed anxious to keep on good terms with the priesthood.

The Nunnery of St. Leonard, near Halidon Hill.

This was a convent of Cistercian nuns founded by David I. Confirmatory of this is the fact that the Scotch Rolls on November 24, 1335, say positively that £8 was to be paid annually to these nuns, which sum was granted by David I. So that the nunnery was as old as David's reign. Chalmers says a convent was founded within Berwick Bounds, at Halystan, near Halidon Hill. It was dedicated to St. Leonard. The traditional site of this nunnery was on the southern slope of Halidon Hill, in the Nunslees, on the opposite side of the road from Meadow House, which is said to be built of the stones remaining from the ruins of that nunnery. The name Nunslees lends an air of certainty to the tradition. Of this nunnery it was said 'that there was founded of old within Berwick Bounds at Halystan, near Halidon Hill, a convent dedicated to St. Leonard, for Cistercian nuns.' In August, 1296, Marjorie, the prioress of Halystan, 'de l'counte of Berwick,' swore fealty to Edward I., who thereupon granted protection to her and her convent. The Battle of Halidon Hill was fought near Halystan, 28th July, 1333. Edward III. then showed his gratitude to the prioress and nuns, who had been ruined by the war, and who no doubt contributed to his victory. He ordered the convent to be rebuilt at his own expense, directed an altar to be erected in the church in honour of St. Margaret, on the eve of whose festival he had gained so decisive a victory, and appointed services to be performed annually on the eve and festival of St. Margaret at his own charges.† He granted £20 per annum of the issues of the town and county of Berwick to be paid annually by the sheriff of Berwick

* Topham's 'Wardrobe Accounts.'

† 1 'Rot. Scot.,' A.D. 1333.

for the time being for ever, until he provided them with £20 per annum of lands and rents; so that the nuns shall cause to be performed solemn services aforesaid, and shall venerate the saint with votive praises, and shall, when the altar is constructed, keep it in competent repair. From a vow of Edward III. at the Battle of Halidon Hill and from a deed conferring the advowson of the Church of Symondeburn on the Bishop of Durham, the patronage of which was afterwards appropriated to the Chapel of St. George, Windsor, we learn that the King wished the Durham monks to found a house for twelve monks and a prior of their chapter in the place of the prior and convent of Durham in the suburbs of Oxford, for study in the University, and to celebrate divine offices and other pious works in honour of God and St. Margaret the Virgin, on whose *vigilia* God gave him the victory over his enemies. The offices were for the safety of the King's soul and Philippa, Queen of England, his consort, 'of our souls and also of the foresaid bishop, of the souls of our progenitors, of our heirs and successors and the successors of the said bishop, and of all who fell in the said conflict.'* In 1335, on the King's arrival in Berwick, he gave this house of the prioress and nuns of St. Leonard, 5s.† The £8 with which David I. endowed this nunnery were ordered to be continued to them out of the Ferm of Berwick.‡ We have a notice of this house§ having lands in Liddisdale in the following petition:

> The Master and brethren of the Hospital of St. Leonard at Berwick laid claim to certain lands which they stated their predecessors had been seized of, viz., a carucate of land, with the appurtenances, in Val de Lydel. They presented a petition to Edward I., stating that the charter had been confirmed by each King of Scotland successively until the time of Master William Feugers, the then master, at which period thieves from Scotland had killed their brethren and the people that were there, and burnt their houses and destroyed all. They also affirmed that the lords of Soulis, in their time, and others who had been put in possession of the lordship by the King since the Conquest, had kept them out of their land until Sir John de St. John, Guardian of Scotland, by command of the King, had verbally put them in possession of the land; but the Lady de Wake, Sir John Butetourte and Sir William Soulis had afterwards ejected them, and had kept them dispossessed, for which they prayed grace and remedy.‖

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* Hodgson's 'Northumberland,' vol. ii., part 3, pp. 103, 104. Date of deed at Walton, June 25, 1338.

† Cott. MSS. New C. viii., f. 207*b et seq.*

‡ 1 'Rot. Scot.,' A.D. 1335.

§ Either of this house or of allied place, of which no other notice occurs.

‖ Stevenson's 'Documents of Scotland,' quoted in Armstrong's 'History of Liddisdale,' p. 88.

The Convent of Cistercian Nuns of South Berwick.

Evidently David I. founded this nunnery, and granted 40 marks yearly out of the issues of the town, which they enjoyed from the foundation of their house.* This grant was confirmed by Edward III. in consideration of the losses sustained by this house, and ordered to be paid for ever without impediment. On June 6th, 1291, Agnes de Bernham, the prioress, swore fealty to Edward I. in the chapel of Berwick Castle. On August 8th, 1296, Anneys, prioress, swore fealty to the same King. In 1301, the King gave the nuns of South Berwick 6s. 8d. by the hands of Lady Isabella de la Chambre to buy them a Pittance, that is, pittance bread,† which nuns usually had on Fridays, when bread and water was their only fare. In 1296, by an inquest its revenues were found to be £47 per annum. The prioress made a composition with the Prior of Coldingham for the tithes of three culturas of land in the neighbouring parish of Bondington; she also made a composition with the Church of Golyn in Haddingtonshire. The prioress and *Master* resigned their rights in this church to the monks of Dryburgh. Gregorius was Master and Frelina prioress.‡ There were four cells attached to this nunnery, viz.: (1) St. Bathoms or St. Bathans in Lammermore, founded by Christian, Countess of March.§ (2) Elbottle on the Firth, near Dirlton; this cell is severely censured by Father Hay in his 'Scotia Sacra.' (3) Golyn in Lothian, founded by David I. (4) Three Fountains or Three Wells, on the borders of Lothian or in Lammermore. Ada, Prioress of St. Bathans, swore fealty to Edward I. Robert III. at his accession suppressed this convent, and gave their possessions to the Canons of Dryburgh, which grant was confirmed by the Bishop of St. Andrews, May 8, 1410, and by James I., May 30, 1424.‖ No trace of this convent's position or existence remains even in tradition.

The Hospital of St. Mary Magdalene.

During the Scoto-Saxon period there was a hospital founded in Berwick which was dedicated to Mary Magdalene, but the name of the founder is forgotten. The position of this hospital is indicated so far by the name of the Maudlin (Magdalene) fields, which lie on the north-east side of the town. The traditional site of the hospital is where the farm-house in these fields now stands. No

* 1 'Rot. Scot.'

† A finer kind of bread.

‡ Stevenson's 'Transcripts.'

§ Father Hay calls her Christian; Cardonel, Euphamia.

‖ Chalmers' 'Caledonia,' vol. ii.

likelier place can be pointed out, nor is there any further indication from any remaining buildings or otherwise. The master of this hospital swore fealty to Edward I., who restored to him the property of this pious establishment. Edward II. granted the keeping of this house, in 1319,* to John de Cervé, then being vacant, and in the donation of the King, with all its rights. The date here scarcely agrees with history. Berwick, in 1319, was in the hands of Bruce, and it is not probable that he would allow Edward II. to present anyone to the mastership. Then De Bamburgh† was master and keeper immediately after the Conquest in 1333, and continued in possession till 1340. Probably the Scotch Magister at the Conquest was Gilbert de Sprouston, who had letters of protection for the property of the hospital. Under Bamburgh's mastership an inquest as to the property was made, when the following was returned: 'The hospital was seized from time immemorial of one half of the Fishing of Totyngford quit of tythe, and of the tythe of the other half, of one-third of the Fishing of De la Lawe and Calet,' and of 25s. received annually of the Ferm of the town, until the town was surrendered to the King. Edward III. ordered all these to be restored to the hospital. The order to pay the 25s. was repeated to each new Chamberlain on his appointment. On Bamburgh's death the King appointed Robert de Burton. From this appointment we learn that certain of the chief officers at Berwick exercised the right of filling up vacancies in offices there. Hence a confusion frequently arose. At Burton's collation the King found that Thomas de Gotham had been previously presented to the office by his Chancellor of Berwick, by letters under the King's seal used in that town. The King was forced to revoke this collation and confirm that of Burton. The latter continued master till 1361. On his appointment the Chamberlain had seized the hospital into the King's hands with an annuity. Then follows the amove, as usual in such cases:

'The King to John de Boulton, Chamberlain. Robert de Burton in a petition sets forth that the Hospital and the lands, tenements and fishings, beyond the town to the same belonging which were so destroyed and laid waste by the Scots, the Kings enemies and rebels, that they were not sufficient

* Rymer's 'Foedera,' vol. iii., p. 786.

† Of Bamburgh, Raine tells the following story. Bishop Beck arbitrarily and illegally deposed Richard de Hoton, Prior of Durham, and compelled Henry de Luceby, Prior of Holy Island, to take his place, and ejected him from the Island. The Bishop's officers took violent possession of Holy Island and committed much damage. The ejected prior obtained a mandate from the Crown for his restitution, which, of necessity, was to be published in Holy Island. Thomas de Bamburgh was the person appointed for the purpose, but scarcely had he begun his task when two of the Bishop's men, one of whom was Reginald, the Schoolmaster of Norham, gave him an unmerciful beating, tore the seal from the deed of restitution which he was reading, and literally dragged him by his feet out of the church.—Raine's 'North Durham,' p. 80.

for the ancient and the elemosinary burthens incumbent upon the Hospital from antiquity, were worth only 48s. 6d. per year; and he prays for a writ of "Amoveas Manus." The Hospital's possessions had been seized after the late conquest of the town by Edward from his enemies, who invaded it suddenly and took it. The King for this that Burton promises faithfully to pay every year to the paupers in the town 20s., or the value thereof, for the souls of the founders of the Hospital, orders the same and the lands, etc., to be restored.'

During Burton's time some difficulty in regard to his mastership seems to have occurred. Burton's deputy, William de Emeldon, received the annual sum given by the King for several years, and then, in 1354, John de Boulton was commanded to restore the hospital to Burton's keeping. Burton was succeeded on June 15, 1361, by Roger Bromeleye, Clerk, for life, and in five days the King made the like grant to Richard de Metford, Clerk, for life. Here again we have the King's officers and the King in collision; Bromeleye retained the custody in this instance. In 1395, the King granted the custody to Richard de Clifford, to hold with all its rights and appurtenances whatsoever. This is the last notice of the hospital in the public records:

'The Property of the Maudlin fields was after the dissolution of the Monasteries and Hospitals used for feeding the Cattle belonging to the Garrison; and this use was continued till 1603, when the property, along with much more in the bounds, was given to George Home, Earl of Dunbar, by James I. This part of his property was heired by Hume of Cowden Knowes, who married one of the daughters of the Earl. He sold it to James Douglas, afterwards Lord Mordington. From the Mordington family it passed to the Watsons by purchase in 1660. Thomas Watson, one of the leading merchants of Berwick, and several times Mayor or the Burgh, paid £2,000 for the Snock and Magdelen Fields, the Conygarth, Horseman's and Constable's Bat, 143 acres, 20 acres, and 12 acres respectively, 175 acres in all; and paying an additional fee of 4d. per acre of Fee farm rent to the crown for ever. Watson had before this, 1658, bought for £2,000 New-Water-Haugh, Inner Castle Hills and Lumsden's Anney, 158 acres. Both of these allotments were purchased from the Right Hon. Lord Mordington, the son of the gentleman who so long and perseveringly annoyed the Berwick burgesses. Thomas Watson, Mayor and Alderman of Berwick, and owner of Goswick, married Elizabeth Smith, sister of Wm. Smith, burgess of Berwick. He left, in 1677, his property in these two separate allotments to his second and third sons. His eldest son Thomas died unmarried. George, his second son, heired the 2nd lot above named. He married Bridget, daughter of — Forster, and died 1690. His son George Watson, of Goswick, married Bridget, daughter of John Aglionby, of Carlisle, died 1740. Thomas Watson's fourth son, John Watson, Merchant, of Newcastle, married Elizabeth Craster, daughter of John Craster, of Craster. The issue of this marriage was a daughter, Bridget Watson, who heired the property above-named. She married John Askew, of Pallinsburn, youngest son of Dr. Adam Askew, of Newcastle, and died 1823, aged 81. George Adam Askew their son heired the property, and married Anne Elizabeth, daughter of Dr. Anthony Askew, of London. From this marriage was descended the late Hugh Bertram Askew. The present proprietor is a nephew of Hugh.

'Thomas Watson's third son, Robert, married Elizabeth, daughter of Wm. Webb, first Grammar Schoolmaster of Berwick, and burgess, died 1787. Thomas Watson, their second son, married Margaret Clerk, whose son Thomas, of Grindon, married Barbara, and had no issue; their daughter Elizabeth married William, third Viscount Fethers and Baron Lisburne. She died 1766, having heired

the first-mentioned property, in which was the Magdalene Fields. The estate thus became the property of Wilmot, then the fourth Viscount Lisburne and first Earl, died 1800. Wilmot, second Earl, succeeded and died unmarried in 1820, and was succeeded by his half-brother, John, by whom the estate was broken up and sold. The Magdalene Fields were sold in 1829 to the Duke of Northumberland, who still remains owner of the property.'

The Hermitage of Segden, or Seggeden, belonged to this hospital.* The master of the House of St. Augustin de Seggeden had letters of protection from, and did fealty to, Edward I.† The monks had a tenement in Narogate,‡ and another in St. Marygate.§ No further reference to this obscure hospital is obtainable. Tradition says that Segden was the name of the dean or valley running from the farm called 'the Folly' seawards, where a quarry of late years has been extensively worked. If this is so, then the hermitage would be situated in some part of that dean or den.

The Hospital of the Domus Dei.

On an inquest being made in 1333-4 by King Edward III., it was found that Philip de Rydale was the founder of this house, in the time of Alexander III., and that he endowed it with 20 solidatas rent, issuing out of a messuage in Uddyngate. On the forfeiture of Ferinus Gley, the last tenant, it came into the King's hands. James de Colonia and his ancestors were seized of a rent of 13s. 4d. in St. Marigate in the time of Alexander III., which rent came to divers hands, and lastly to Thomas Rydale, who gave it to the master and brethren, who were seized of it until the messuage came to the King's hands, through forfeiture of said James. Philip de Rydale was also seized of 20s. rent of a messuage in St. Marigate. The King ordered all these rents to be restored.‖ Hodgson, quoting 'Placitorum Abbreviatio,' 19 Ed. I., says it appears that the master of the Domus Dei, and William, son of Euphamia, had common of pasture in 100 acres of land in Bollesdon. In 1333 we have a petition to the King and Council by the master, poor brethren, and sisters, of the Maison Dieu of Berwick, showing how their church and houses were utterly cast down by the engines during the siege, and the master had spent so much in repairing that he had pledged his chalices and vestments; but the

* Wallis's 'Northumberland.'

† Rymer's 'Foedera,' vol. ii., p. 724; Prynne, vol. iii., p. 660.

‡ Ranulph de Holme had three tenements in Narogate which he had as a gift from Edward I. One he had acquired from the friars of Seggeden.—Bain's 'Calendar of Early Scotch Documents,' vol. ii., 1333 A.D.

§ All these notices are in 1 'Rot. Scot.,' 1333.

‖ Inquis. Post Mortem, Ed. III., No. 39.

work was so unfinished that they could not endure the winter without being utterly perished. The master was labouring daily to his poor ability, but could not get means to finish the work without great help, and prayed the King for his gracious aid in his sore extremity.* This energetic master, who had letters of protection from Edward III. in the same year, was called William de Rokesburgh. Two years later he is styled *late* master. He was then confined in Newcastle, but petitioned the King for his liberty. The King ordered the Mayor and Bailiffs of Newcastle to discharge him, on his finding security not to depart from the kingdom of England, nor to go to Scotland, nor communicate with the Scots. His particular crime is not further stated; but it is evident his loyalty to Scotland had brought him into difficulties. In 1335 Peter de Greneslade, custos, William's successor, had letters of protection for one year. In 1337 the master had in possession 'le vetus Gild;' but it was then waste, and in the same condition he had one tenement in Waldegate and another in Narogate. Robert de Tughale gave 6 marcatas rent in Berwick, which he had purchased from Robert de Stretfield, to a certain English chaplain celebrating Divine Service in the Hospital of the Domus Dei. This house seems to have owned a croft, a part of the snook in the Magdalene fields. There was a croft lying between the road leading from the 'Kougat to the Snoke' on the north, and the *Mesondew Croft* on the south.† In 1347 the King lately, under his letters patent used at Berwick, gave to William Emeldon, clerk, master of the Domus Dei—he was deputy-master of St. Mary Magdalene — the town of Wedderburn, then in the King's hands, by forfeiture of Andrew de Moravia, the King's enemy and rebel, which town was burdened by William de Moravia, son and heir of Walter de Moravia, former owner of the same town, with an annuity of 20 marks to the Domus Dei, to hold to Emeldon during pleasure, so that he received 20 marks for the use of that hospital, and answered to the King at the Berwick exchequer, for the balance of profits, if any. The King now confirmed the grant under the same conditions, and he ordered the Sheriff in another writ to permit Emeldon to hold the town accordingly. In 1350 the custody of the moiety of the mill in Heatherslaw was committed to John de Ashborne, Master of God's House, in Berwick-upon-Tweed.‡ There is no further history of this hospital in the olden times. It is supposed to have been a hospital for lepers. In 1603 it became the property of the Corporation, and was let shortly afterwards to Michael Sanderson, a leading member of Guild at the time; thus, 'The Mason due, now in possession of Henry Reveley, its lofts and cellars, its yard and forge, and the bullet-yard,

* Bain's 'Calendar of Early Scotch Documents,' vol. iii., 1333. † *Ibid.*

‡ No. 58 of evidences in Ford Tithe Case.

is letten to Mr. Michael Sanderson for 21 years, he paying 40s. yearly, and to keep it all in good repair, and leave it in the same state.' He obtained a life-rent of the same premises in order that by the rent due he might be able to recoup himself for money lent to the Corporation. This house was undoubtedly situated at the corner of the present bridge, where the National Bank now stands, of which Mr. Stephen Sanderson, a lineal descendant of the tenant in 1610, is agent, and where he occupies premises as a Solicitor and the Clerk of the Peace for Berwick and Northumberland. The quay in front of the building long continued to be called the 'Mason due,' and everyone on becoming free was bound to pay 3s. 4d. for repair of this quay. This money was at length merged in the sum payable (£1 or £1 10s.) on every freeman taking up his freedom, which sum was eventually paid to the Grammar School of the town.

Domus Pontis.

There was a house dedicated to the Holy Trinity at Berwick Bridge, whose duty it was to pray for the passengers and to profit from their safety. These praying fathers were placed in such situations to take possession of the moment of the traveller's gratitude for his easy and safe passage over great rivers. On February 20, 1338-9, Edward III. ordered an inquest into their lands and tenements. Being desirous to know for what cause the land and tenements of the Domus Pontis of Berwick, situated in this town, were seized into his hands by Bolton, late Chamberlain, the King ordered Tughale to certify the reason unto the King's Chancery. Tughale says they were taken into the King's hands because of the late reconquest of the town, and for no other reason. The King, noticing that this house was founded to maintain certain chantries for the souls of his progenitors, ordered all the lands and tenements and issues from them to be restored to the keeper of the house, that he may the better maintain the chantries as he was accustomed.* This is clearly a different foundation from the Domus Dei, but it is not quite so clear that it is different from the house of the Trinity Friars, previously treated of in these pages. The chapel was situated close by the end of the older bridge, while the Domus Dei was eastwards of that spot. These obscure points must remain meanwhile without elucidation, but, as historical records of the country are being published so rapidly, it is possible that much that is now obscure may be yet made plain.

Until post-Reformation times we have nothing further to add to the ecclesiastical history of the town. When light once more breaks upon its religious life, all the nunneries and hospitals have disappeared. St. Lawrence Church and St.

* 'Rot. Scot.,' p. 836, February 20th, 1359.

Nicholas are no longer in existence in any form whatever. St. Mary's is mentioned only to be destroyed; and the Church of the Holy Trinity alone remains to represent the cumbrous machinery of the religious life of Berwick which existed in the centuries preceding the Reformation.

The first vicar after the Reformation of whom we have special notice is (Sir) Robert Selby. Thompson, his predecessor, seems to have resigned in 1541. It is not till 1560, in the 'State Papers' of Queen Elizabeth, that we become acquainted with this peculiar vicar. Sir Francis Leek gives us some information concerning him. He wrote to Cecil:

'Has already signified that the Curate is a very simple man, and has only £7 a year from the Vicar, who is more ignorant than the Curate. I doubt whether he can say his Paternoster truly either in Latin or in English. The Dean of Durham, who is patron of the Church of Berwick and Norham, and who is presently in London, can declare the inaptness of the Vicar of Berwick and Norham, called Sir Robert Selby, to take any care of Christian people.* The Vicar is paid yearly of the Dean of Durham £20 for Berwick and £20 for Norham, in money without any other profits; and thereof the Vicar gives the Curate £7 by the year. William Morton has the parsonage† to farm, and pays the Dean and Chapter of Durham £11 by the year. There belongs to the Parsonage only the Pasche Book, wool, lamb, and of every person that is allowed to have ordinary hay, either soldier or freeman, twopence. "Corn here groweth none." There are no ministers, clerks, or sexton that could be presently placed, there be good pupils in this town who if there may be such a Schoolmaster sent hither shortly, as Mr. Sampson or Mr. Dean of Durham, will prove good scholars and meet to be ministers. But if ye delay sending a preacher shortly I doubt they will return to their old vomit and become too much oblivious. One here is called Cuthbert Dickenson, an honest, poor man, and as he seemeth meet to be a Sexton or assistant for the burial, the Dean commended him unto me.'

Leek again adds of the curate: 'He is a very simple man, void of all learning.' Of the church-going habits he says, 'The assembly is not so great but that a less church than this will easily hold them, and yet it will not hold half the extraordinary garrison.' The same writer tells us what he thinks proper provision for the service should be—'a Vicar at £80; a Curate at £40; coadjutor at £33 16s. 8d.; two singing men for the administration, £13 6s. 8d.; Clerk, £13 6s. 8d.; a Sexton at £10; Assistant for the Burials, £7 16s. Total, £211 2s. 8d.' There is more substance in this estimation than what the curate and vicar were actually in receipt of. The above was written in the September after which Sampson and the Dean of Durham had visited Berwick, and on October 1, 1560, the wonderful change took place already adverted to in this volume. Lord Grey wrote, on November 26, 'Desires a virtuous minister may be sent, and order may be given to the

* It will be remembered that it was during Selby's incumbency that Knox was located in Berwick. The contrast between Selby and the great Reformer would be ludicrously painful.

† The tithes.

Surveyor for enlarging the church, which is not sufficient. The people are very well inclined. He has service three times a week, and sees it well done.' The influence of Mr. Sampson and the Dean was still felt here to some effect. On February 1, 1561, Lord Grey received the Queen's letters to place Mr. Stephenson here as preacher, and William Sanderson as coadjutor, which he did, and he 'has shown them the rates of their entertainment, wherewith they seem well pleased. Now that they have seen the church and the order which is kept for Divine Service, he doubts not but they will make better report of their religion.' Stephenson had reason in the end of the year to repair South, and he was recommended to Cecil by Lord Grey as having been diligent here in setting forth God's Word according to his vocation. Sanderson was in worse straits. He was compelled to give his curacy into Cecil's hands.

'Although he put away his servant has not so much as a bag to carry his books; it (his salary) will not provide himself, wife and children, with either meat, drink or house-rent; Has spent £10 going and coming, and is £10 in debt, and can neither beg nor borrow any more. Is bound to my Lord of Ely in £100 either to give over or to keep residence next Michaelmas, at a benefice, which the writer has in Cambridgeshire, which, with having corn for his horse, he can make more shift with that alone, than he can at Berwick by living at the former only by the Penny. He was borne in hand by the Bishop of London and Winchester to have the vicarage of Berwick, or else a prebend of Durham, at next vacation; but the prebend has been bestowed on another, and the vicarage is not yet vacant, and when it is, there is an advowson out of it. Had he not looked for one of these he never would have taken the Curacy. Finds by experience that he is not able to do anything as he thought he should when he went thither, and cannot stand up in the pulpit and speak against a man's doing, and go to the same cap in hand to interest for a loan until his wages come, in this case he has found more friendship than he can complain of. I know our saying be small esteemed and me less. They will not stick to say the mass was never half so dear in times past as God's free gospel is now. Went there to preach and not to serve the Cure (another man having the Vicarage), and Lord Gray said they looked to the writer as the Curate.'

Such is a very curious and interesting insight into the state of the vicarage and curacy in Robert Selby's time. The real vicar did not trouble the town much, and the Governor seems to have employed preachers at his will, and paid their salaries out of royal revenues.

Of John Blackhall, the next vicar in Randall's List, I have no notice whatever, probably because the later 'State Papers' of Queen Elizabeth's reign are not yet published. He is said to have succeeded Selby in 1585. This date may be doubted. Thomas Clerke, the next vicar mentioned, was a preacher in Berwick as early as 1565. He was then called the minister of this place, and Cuthbert Strother was called preacher. And again, in 1581, Thomas Clerke is still spoken of in the same terms, and in 1585 he was entrusted with the Communion-plate from the hands of the Alderman for the year, who was to give it to Clerke every quarter

of the year, taking his hand for receipt thereof. Thomas Clerke succeeded to the Vicarage, according to Randall, 1589, and was succeeded by William Selbye, A.M., 22nd July, 1607, on Clerke's death. If this is the same Clerke all the time, he must have been a minister for forty-six years. But such cannot well be the case; for, in 1604, the Guild Book distinctly states that the two preachers were Mr. William Clerk and Mr. William Selbie. I would suggest, as a possible solution, that Thomas Clerke succeeded Richard Selby about 1565, and that he was succeeded by John Blackhall in 1585, and then another Clerk, viz., William, succeeded Blackhall, who was again followed by Mr. William Selbie. After 1603 Government money was no longer available for the preachers. The Guild, for some years, were obliged to assess themselves to enable them to pay the preachers. In 1604-5, for instance, while Clerk and Selbie were preachers, a heavy assessment was levied on the Burgesses—20s. from those who had been Mayors, 15s. from the Aldermen, 10s. from the Bailiffs, and 5s. from every Free Burgess. Any refusing to pay were to be committed to ward. The sessment, most vigorously collected, produced £30 1s. 8d. In 1607 the Guild had discovered that his Majesty's coronation had taken place on a Tuesday, and that the preachers had service on Wednesdays and Fridays of each week. The Guild were asked to make Tuesday a service day, and they forthwith determined that sermon should begin that day at eight o'clock a.m., so that after it was over those who required to attend the Court might do so.

In July, 1608, the Mayor and four Aldermen lent Mr. Clerk, preacher, £8, to help him in his need, and Selbie, who had been preaching here since the dissolution of the Garrison, was paid as follows:—

	£	s.	d.	£	s.	d.
In the first 3 years he was allowed £16	48	0	0			
And in the next two years £12 10s.	25	0	0			
				73	0	0
He was paid in money at various times	37	18	1			
Paid by Jackson for wares to Mr. Selbie	3	12	0			
Paid by Morton to Brearley, to whom Selbie was due	4	16	9			
Brearley stayed from Selbie due to him	0	6	0			
For mowing his hay for 3 years	1	2	0			
				47	14	10
Still due to Mr. Wm. Selbie at the end of 5 years				£25	5	2

Leo Rountree became Vicar on Selbie's resignation. Of this Vicar there is no record in the Berwick archives. Richard Smith succeeded in 1610, on the resignation of Rountree. On the 19th of July, 1609, Richard Smith, Bachelor of Divinity, preacher of God's Word within this town, was admitted a free burgess of

this Corporation, and, on the same date, £20 due to Selbie, the preacher, was paid to his creditors out of the Sheep's Grass by the farmer thereof. Gilbert Dury, or Durie, was mentioned as receiving a salary of £6 from the Guild as early as 1608. He became vicar after Smith in 1613, and was more or less vicar till his death in 1662.

The parish clerk was, during this period, paid by the Corporation. John Morton, clerk in 1609, was paid by an assessment of 4d. levied on every house 'that raiseth reek.' The churchwardens were requested to see him redressed if any refused to pay. On January 19th, 1610, the Alderman *pro anno*, who was principal churchwarden as long as the appointment was allowed to remain in the hands of the Guild, was ordered to pay out of his own purse the wages of the preachers of God's Word, and he to be paid again out of the voluntary contributions of the inhabitants. The Alderman had that privilege because he was the chief churchwarden. In 1616 the Lord Bishop of Durham expostulated with them about paying so small a salary, when they increased the salary by £10 to John Jackson, who was now the assistant preacher. As the Puritan feeling became developed in these times, the church was found too small. 'Whereas February 8th, 1618, there is a great necessitie of seats within the body of the Church, the dore and stayres are to be altered, with other reparations needful to be done.' All these repairs were ordered and paid for by the Guild. The scholars of the several schools had been accustomed to disperse themselves in various corners of the church, and disturb the quiet of the congregation. They were then all gathered into one convenient place that all might sit in uniformity, and a sufficient man appointed to keep them in order. John Jackson died in 1627, and Gilbert Dury continued vicar and performed all the duties for a while. On January 23rd, 1629, the Guild ordered that, since £20 was paid formerly out of the Exchequer to each of the preachers, that £20 be paid to Dury and the other £20 to a successor to Jackson. The difficulty was to obtain a suitable man to minister to the strongly developed Puritanism that now prevailed in Berwick. Sir Robert Jackson and Edward Lively, M.P., were appointed to search out a minister for the town.

Another matter was now beginning to engage the attention of the authorities. There was a hope, at this early period, of obtaining a Lectureship in Berwick, and Messrs. Drummond and Thompson, ministers, were in town waiting till the arrangements were completed, evidently in anticipation of an appointment. But this was not settled for a year or two, and they got leave to go. Drummond was paid £8 6s. 8d. for his pains, and was entreated to stay if he could. But Thompson got notice to quit: as they did not desire his stay, they gave him £6 13s. 4d. as a

gift, 'wishing him health and happiness, and ourselves good success in God's gracious and merciful providence.' Drummond waited on for the lectureship, but after a while he was paid £5 extra by the Guild, and then he had to depart; if he stayed, he could get no more from the Guild.

On July 16th, 1629, the first mention of the Fishborne Lectureship occurs in the Guild Books. The intention of the founder of this lectureship is thus set forth: Richard Fishborne, mercer, London, by his will dated March 30th, 1625, bequeathed to the wardens and commonalty of the Mystery of Mercers of the City of London the sum of £2,800, to be laid out in the purchase of two or more parsonages, rectories, or Church livings anciently appropriated to some religious house, and commonly called impropriations, in one of the northern counties where the Company of Mercers should find the greatest need for preaching; and that the said Church livings and impropriations, when so purchased, should be from time to time for ever by the said wardens and commonalty, after their wonted custom of election by most votes at their general courts, conferred and bestowed upon two or more ministers respectively, upon condition that if any of them should prove NON-RESIDENT, OR HAVE ANY OTHER BENEFICE OR CHURCH LIVING WITH CURE OF SOULS, he should be removed, and another elected in his place. The will closes with this sentence: 'I heartily entreat the said wardens or commonalty, for God's sake, that they will be very careful from time to time to make choice of such as be well known to be honest, discreet, and learned men, fearing God and faithfull in their ministry, that by their life and doctrine they may win souls to Christ Jesus.'

In 1631 the Mercers' Company, who had previously bought other tithes, purchased the great tithes of Chollerton and Barrasford and elsewhere, in the county of Northumberland, and with part thereof, not including the tithes of Chollerton and Barrasford, founded a lectureship in that county at Hexham. In 1629 the Guild were apprised of the nature of the bequest, and entertained some expectation that part of the legacy would be obtained for purchasing land or an impropriation for the maintenance of an assistant minister within the burgh, of the annual value of £100 in perpetuity. The Guild, therefore, determined to procure one of the Lectureships. In April, 1630, the Corporation authorized four of their body by proxy (or power of attorney) to complete the negotiations then pending with the Mercers of London. We cannot trace the negotiations further, but the result was favourable to the Guild, for, in 1637, it is stated that the Mercers' Company had appointed 'Mr. John Jymmett Preacher and Lecturer for this Burgh, in the place of Mr. Eusebius Hunt, late Lecturer here.' Mr. Hunt, the first Lecturer, was probably appointed not long before the month of April, 1636,

and then, by an order of the Private Guild, in which he is merely styled 'Minister in this Town,' it was stipulated that he should, during his continuance in that capacity, receive from the Corporation, beside the Tithes aforesaid, to which he was entitled under the distribution made by the Mercers' Company, the following yearly salary and other benefits: £4 in money, payable on September 20th annually, forth of the Town Chamber; a dwelling-house, rent free; a meadow and pasture for cattle, to which a pasture for a horse was afterwards added, all which was estimated at £10 per annum. The Treasurer was told to repay him the expenses he had incurred in putting his dwelling in repair, and he was to have forty sheep's grass in the town fields, rent free, to enable him to keep it in repair in future. On the appointment of his successor, the Guild ordered that the same salary and perquisites should be continued to him to hold during the time he should continue Lecturer, for his better encouragement and maintenance. Mr. 'Jymmitt'* was succeeded, in 1641, by Mr. Harrison, to whom the Guild gave an annual salary of £14, besides the other benefits conferred upon his two predecessors, and he, in 1643, undertook to perform Divine Service in church during absence of the Vicar.† Towards the latter end of the year Mr. Harrison was offered a living elsewhere, worth £300 a year, but consented to remain in Berwick if they raised his salary to £100. The Tithes of Chollerton and Barrasford were only worth £50, his dwelling-house and meadow £6, and the Treasurer was ordered to pay him the balance of £44 a-year in money. But Harrison resigned, and accepted the living worth £300. He afterwards applied to the Corporation for payment of a balance of £22, which he alleged was due to him. The Guild denied that they owed him anything, but yet ordered that £7 be paid in full of all his demands, although he never preached nor took any pains for his stipend. He was succeeded by Mr. William Strother, a Burgess of Berwick, who, in addition to the £50 of the Mercers, got £10 out of the Town Chamber, and £20 raised by an assessment on the inhabitants. While the Scots had a Garrison in Berwick Strother officiated as Chaplain, and they agreed to pay him a salary. Mr. Strother died in February, 1648, and, in the following month, the Guild asked the Mercers' Company to appoint another Lecturer in his stead. In 1649, the £50 of Tithes being paid the Corporation, they gave £25 to Mr. Strother's mother in part of the stipend they owed him, and determined that the remainder should be employed about

* He was a son of William Jemmat or Gemote, M.A., a native of Reading, in which town his father had been twice mayor in the reign of Elizabeth. John, after leaving Berwick, became Vicar of St. Giles, London. Another son, named Samuel, lived and died Rector of Eastling, in Kent.

† Dury had strong High Church tendencies, and could not endure the strong Puritanic air of Berwick—hence the Vicar's absence.

the expenses incurred in procuring a successor. After a vacancy of two years, in February, 1650, the Guild appointed Mr. Thomas Hibbert, Lecturer. His salary was £50 from the Tithes, £20 out of the Town Chamber, and a dwelling-house, a meadow, cow's and sheep's grass, as his predecessors had; and £10 towards the expense of bringing his wife and family from London. After a year's residence, Nicholas Wrissel was appointed his successor. He was promised a salary of £80 and a dwelling-house, if necessary, and pasture for his horse and cows, and meadow-ground in proportion for hay. In 1653 the Guild granted him a gratuity of £30 for his extra services. Mr. Wrissel having officiated as Vicar for some time in Durie's absence, the Guild raised (January, 1656-7) his salary to £100. The Guild, likewise, gave £10 for the rent of his house. Upon the Restoration Wrissell was deprived of his Lectureship for Nonconformity. In July, 1661, Mr. Smithson became Lecturer. He seems only to have had £50, the sum which the Tithes yielded. He afterwards became Vicar. In November, 1665, the Guild engaged Mr. Davison, and guaranteed him £50 for his salary. For this he was required only to preach on Sunday afternoons. The Bishop was asked at this time to allow a weekly Lecture in Berwick, and the Corporation promised £30 extra stipend. This application was successful. Davison was now paid £80, and £8 a year instead of house rent. The Tithes were then very badly paid by the lessee. A quarrel having arisen about the salary, Davison either resigned or was dismissed. Mr. Roger Young succeeded in 1673, and got a salary of £50 guaranteed to him, and £20 from the Town, and £5 4s. 10d. granted by the Crown, which had formerly been paid the Vicar. £20 was added to the Vicar's salary. The two Preachers undertook to preach the Sunday afternoon sermon alternately. The Tithes continued badly paid, and the Town's Accounts show that, though the town only got £35 a year, it regularly paid £50 for the salary, besides its own voluntary augmentation. In December, 1685, the Common Council, then in power, ordered the Lecturer £18 a year additional salary if he would read prayers three times a week—forenoon and afternoon—instead of the weekly sermon, and a sermon would only be demanded on holidays.

The Mercers' Company then took the appointment into their own hands, to whom it rightly belonged; and on Roger Young's death, in 1711, they appointed Mr. Leonard Darant to the vacant office. He had the salary derived from the tithes alone, the Corporation consenting to pay the taxes connected therewith. Darant, receiving no salary from the Guild, discontinued the Sunday afternoon sermon. Eventually they paid £20 to him for three years, but ceased the payment in 1717, for Darant did not suit their tastes. The company consented to dismiss

him, and appointed Mr. Charles Tough, who enjoyed the entire confidence of the Guild. Tough again readily received the £30 for his weekly sermon. On his death, in 1728, the Guild transferred the £30 to Mr. Cooper, then Vicar of the Parish, who was an especial favourite of those in authority. George Greenaway succeeded Tough as Lecturer, and was followed on his death, in 1745, by Rev. W. Wolfall. Wolfall* seems to have employed Rev. Thomas Wrangham as a substitute, for, in the Guild Book, Wrangham 'succeeded the Rev. Thomas Cooper as Lecturer to the Guild, to deliver the afternoon sermon for £30 per annum.' On Wolfall's death the Rev. David Lloyd was chosen in September 24th, 1777, who was again succeeded by Rev. William Rumney, M.A., on 5th June, 1789, who held the office till his death, in 1820. Rev. William Proctor was then chosen to the office, and held it till his death, in 1877, when the Rev. Herbert Clementi-Smith, M.A., of St. John's College, Cambridge, the present Lecturer, was elected to fill the vacancy.

To return to the story of the Vicarage, Mr. Durie in his earlier years was badly paid for his work, and he got into difficulties over £40 of poor money, which was given him by Mr. Sutton, late Master of the Ordnance. He had promised to pay it by halves, but now, (1637,) he admitted that he could not pay it, but would give the Guild the rent of his house in the churchyard for it, which was £4 by the year. At this time he, along with Sir James Douglas, owner of the Magdalene Fields, attempted to disturb the religious life of the Guild. Douglas took the leading part in this transaction. He sent in 1637 what he calls a 'true relation, by Gilbert Durie, Vicar, of the distracted state of the Church in Berwick,' to Secretary Windebank:

'For 40 years there had been in Berwick a sect of Puritans. A main support of the new platform of these 'Novellists' has always been the different judgments of the two ministers, being men of equal credit among the people, the Vicar having the only odds of a bare title, without any other means to keep the other in compass. These two ministers were formerly maintained by an equal exhibition of the soldiers of the garrison, and since, by equal pensions of the King and contributions of the people; but, of late, there has been provided for the assistant Lecturer by the Company of Mercers at London £50 per ann., besides well nigh £10 from the town, the Vicar having no other means save a stipend of scarce 20 marks from the Dean and Chapter, the impropriators, and a pension of £40 from his Majesty, which is uncertainly paid and with large defalcations. Now, the assistant being called to a benefice of better value, is about to quit, whereupon Robert Fenwick, who is the prime mover of that faction, went purposely to London for procuring from the Mercers' Company such another to succeed as might serve to keep their faction on foot, and had procured one Mr. Jemmet to be sent down within this month. The readiest way to reform these disorders would be for the Archbishop by his own authority, or by his Majesty, to deal with the Mercers that the £50

* He was perpetual curate of Tweedmouth and Ancroft. Wrangham was sub-curate of Tweedmouth and Ancroft, and preached a Thursday's lecture as deputy to Dr. Wolfall.—Sheldon's 'History of Berwick,' p. 315.

per ann. might be conferred upon the Vicar, a man not altogether unknown to his Grace, and one of the late King's chaplains in extraordinary. And he shall be bound to entertain a sufficient curate for his own assistance, such as the Bishop of Durham or the Mercers shall assign to that place, paying the Curate yearly £30.'*

We see here a fine scheme to advance the credit of the High Church Vicar. Douglas really wanted to thwart the Guild; but in this effort, as in so many of his endeavours, he was completely baffled, and Durie withdrew from lending countenance to this attempt of his, because it was offensive to the town. He now left it for a number of years, but before going he gave the £40 of poor money which he was due, to the Mayor, who sealed it up in a bag, and was to be answerable for it. The Lecturer did Durie's work, and now an assistant to the Lecturer was engaged for the extra work. Mr. O'Neall remained for some time Mr. Harrison's assistant. Mr. Stephen Marshall and Mr. Strong are mentioned in 1645 as ministers. Next year Mr. White was here for a while and was paid £5 for his trouble. Then Robert Balsome appeared on the scene, to disappear as quickly, to the great grief of the town. His letters, which exist, are very rich specimens of gushing Puritanism. The Guild earnestly urged him to return. He said in answer:

'Sir, I beseech you be not discontented; the Lord, I doubt not, will provide for you. I speak it not to flatter you, your affections deserve a tender-hearted minister. The Lord hath little ones among you, and he will not leave them. My God knows how much I long for you all in the bowells of Jesus Christ.' Again—'my Dear Friends, I much long for you in the Lord. . . . I can hardly write without danger of blotting out with my eyes what I write with my pen.'

All these solicitations to this tender-hearted man were fruitless. He went to Shepton Mallet, in Somersetshire, and remained there till his death. After wasting a considerable time in trying to wile Balsome back, Rev. Thomas Wolf came and stayed only a very short time. They then obtained Mr. John Oxenbridge, another noted Puritan, after much correspondence† and delay. He came from Hull, where

* State Papers of Charles I., 1637.

† Over thirty letters of this correspondence have been preserved. Many of his letters begin thus: 'Grace, Mercy and Peace from the rich fountain.' Oxenbridge was a native of Northamptonshire. He left Berwick for Edinburgh, whence he went to the West Indies, and continued at Syrenham for a time in preaching and praying. At length, having received a call, he went to New England, where he finished his course. 'This person was composed of a strange hodge-podge of opinions, not easy to be described; was of a roving and rambling head, and spent much, and, I think, died but in a mean condition. And though he was a great pretender to saintship, and had vowed an eternal love to his wife, who died in 1655, yet before he had remained a widower a year he married a religious virgin, the only daughter of Hezekiah Woodward, the schismatical Vicar of Bray, near Windsor. He died at Boston, in New England, in 1674. In the church or chapel belonging to Eton College was a monument with a large canting inscription set up by him for his first wife, where it is said that while he preached abroad she would preach and hold forth in the house. But the said

he was Chaplain to Colonel Overton's regiment. After all that they expended in bringing Oxenbridge to the town, he did not remain more than a year in Berwick, when he went to Edinburgh, and would not return at their earnest solicitations. It was late in the year 1649 when Oxenbridge came here, and he left in 1650. At this time the building of a new church engaged the earnest attention of the Guild. The first steps were taken early in the century ; but it was not till the 9th July, 1641, that the first real advance was made towards this object. Thus 'the Mayor, Bailiffs and burgesses presented a petition to Charles I., setting forth, as the King afterwards admitted the fact to be, that a very fair and spacious church (St. Mary's) was in Queen Mary's reign pulled down and utterly demolished, and the stones and other materials were used for erecting a new wall and fortification in or near the place where the said church then stood, with an intention to have another church instead thereof in a more convenient place, but that the times being very troublesome, and no settled peace betwixt the two kingdoms, the inhabitants were necessitated to make use of a very little church (Trinity) meanly built, and not room enough for half the inhabitants ; that King James I. purposed and resolved after finishing the bridge to build a new church in Berwick, but died before the bridge was finished ; they, therefore, petition for letters patent of collection enabling them to collect donations towards the erection.' The petition was granted on application of Mr. John Sleigh, on the 31st of the same month, authorizing donations throughout England for so good, necessary, and pious a work. The writ likewise contained directions to clergymen to publish the tenor of the brief in their churches, on the Lord's day, and to churchwardens to pay over the sums collected to the bearer of the brief. Prior to this the castle had been purchased for the express purpose of demolishing it, and using its materials in the erection of the church. The purchase-money, which amounted to £320, was paid by borrowing £380, £60 of which was given to Mr. Sleigh for his trouble in obtaining this brief, and in concluding the purchase of the castle. He had spent 291 days in London on these labours. The sum collected on the brief in the northern counties was £382 6s. 3d., out of which 5s. for every £1 collected was paid to those who had gone round the country on this expedition. In the southern counties, or simply in London, £635 14s. 6d. had been collected. Yet all this money was thought insufficient for building a new church, and the architect was directed in 1645 to consider if part of the castle could not be made more cheaply into a church. Next year a surveyor was sent for from Edinburgh to come and help to choose a site for the church.

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inscription or epitaph giving great offence to the royalists, at the Restoration they caused it to be daubed or covered over with paint.'—Anthony à Wood.

Several sites were examined and fixed upon, and then departed from. The site of the old Vicarage was looked upon with considerable favour. Stones were ordered to be led from the castle and put down there. Again, on the south side of the churchyard a site was chosen, and leave asked from the officers in the barracks and granted. Finally the present site was taken, that is, by the side of the old church, which was on the south side of the present building, and parallel to it. In January, 1649-50, the Guild agreed that the causeways from the castle to the site of the new church should be repaired forthwith, for the better leading of the stones, and that the expense of this should be defrayed out of the moneys received for building the church. On March 22nd of this year the Guild entered into contract with a London mason, John Young, of Blackfriars, to complete the mason-work before November 11th, 1651, for £1,460: he being at liberty to take down and lead such a quantity of stones of the castle as should be necessary and useful for the building; and engaging to find all other materials at his own cost. The churchwardens and all other persons who had any church money in their hands were ordered to pay it to the Mayor and the Bailiffs, and the power formerly given to the churchwardens to act on the premises was revoked, and intrusted to the Mayor and Bailiffs. By April 26th, 1650, the foundation stone was laid, for the Treasurer on that day was ordered, out of the town's revenues, to pay the Mayor the sum of 40s. which he had given to the workmen on the occasion. Colonel Fenwick, the Governor of the Garrison, procured £514 towards the erection of the church, but including that sum the Corporation had only collected £900 for the work; and the estimates for completing it amounted to £2,500, without any provision being made for pews. They therefore wrote circular letters to many of their friends in London soliciting pecuniary aid, without which they declared they could not meet their engagements with the workmen. Another means of raising funds was adopted. There having been some apprehension of an invasion in April of this year, and the frontier town of Berwick being a likely place to be attacked, if such an invasion should occur, the Governor recommended 'that the inhabitants should be furnished with provisions to last them for at least three months; but as many of them were too poor to lay out in purchasing sufficient to supply them so long in such dear times, he further recommended that the £1,200 or thereabouts due to the town for billet-money for quartering soldiers should be spent in purchasing corn for their ease.' The Guild agreed to both suggestions, and ordered that the money should be laid out accordingly; that the corn should be distributed if occasion required among the poorer classes who were not able to provide for themselves for three months; and that if such distribution was unnecessary, the

corn should be afterwards disposed of for the benefit of the parties to whom the billet-money was due. The Governor at the same time assured the Guild that, during his command and residence in town, the Garrison should pay for all its provisions. The provision was accordingly purchased, and in January following all apprehension of an invasion being allayed, the Guild ordered, pursuant to the Governor's recommendation, as the collections and donations received were quite inadequate for the purpose, and as the corn due to the inhabitants for the billet-money aforesaid would be a charitable gift towards erecting the church, they never having got their proportions into their hands, that the same corn be sold and disposed of, and the money, thereby raised, applied towards the erecting and finishing the said church. The masons now went on with their work, breaking up the old castle, taking all the stones necessary for erecting the walls from it; but as those were being built and almost finished, two burgesses of Berwick reported to the Guild as to the condition of the building. 'The walls were not well built, the ashlar work was not well laid, one stone being almost over another, and that too much lime was used with badly squared stones, thus weakening the whole structure.' Two Scotchmen, John Marr and Henry Porteous, were sent by Colonel Fenwick to view the church, and they reported in similar terms, with additional fault-finding, 'that the windows were not so completely and richly done as by the draught and model thereof was required.' Young, the contractor, like a wise man, told the Mayor and others to wait till the whole was finished, and he would then stand the censure of any six men, three to be chosen by him and three by the Guild. He proceeded on these terms, and then six were appointed—three Scotchmen and three Englishmen—who reported in these words: 'And in a word we can find in no part of the work anything that doth not answer all he is bound to by his indenture conforme to his modell or draught, which we cannot say, but deserves commendation besides full satisfaction.' The carpenters were engaged to do the work of the church 'day taile ways,' and an Overseer and Clerk were appointed over them,—the master carpenter to get 2s. 6d. per day, and after calling all the carpenters together, a number of them were told off in rotation to serve at the new church. Wood was difficult to obtain. Fenwick wrote to them to spare if possible the long gallery in the castle. They answered: We would be most willing if he could show where the wood was to come from;' for they didn't see anything like the quantity required unless they took that from the castle.

The Guild now sold the old church to Mr. Ralph Salkeld for £120, all except the 'Lead, bell, pulpitt, flaggs, coats-of-armes, three doors, and the door-cases.' Salkeld was to have possession within fourteen days after removal of the

pulpit, and the town's intention to leave the church and go to the other. The lead to cover the church was obtained at Standich, near Raby Castle, from Mr. Ambrose Myen. The church is 90 feet long and 22 feet wide, and this will take 10 fother of lead; the two 'Iles' are each 90 feet long and 15 feet wide, and will take 14 fother of lead, which, with casting, will cost 40s. per fother. On May 7th, 1652, the following order was made: 'That the pulpit shall be removed the 1st day of June next, or within a fortnight after, at furthest; and that the new church shall be made use of until seats and other necessaries be made.' On July 1st, 1652, the old church was ordered to be taken down between this and Michaelmas next, and the foundations to be taken out by Lammas, 1653; and £10 of the price to be abated to Salkeld. The church, though opened in 1652, was not finished for at least another year. On October 15th, 1652, the Guild ordered 'that there shall be portal doors for the church, seats on the North Isle, round about the walls; and that the floor be laid with wood, and the Iles with flaggs.' On the 13th of May, 1653, the carpenters cannot finish the work for want of timber; only two boys are working in the place on the visit of the Mayor this day. On the 7th of October timber was ordered to be provided for finishing the new church, and the rubbish in the churchyard to be taken away, and 'Gate-heads' belonging to the old church to be speedily set up at the entrance into the churchyard. On November 11th of the same year the Mayor heard of six pieces of wainscot at Chillingham which could be had for £7, and which would be very useful for the church. Mr. Mayor and Henry Morton were to ride over and see it, and buy it as cheap as they could; and on the 16th of January, 1654, the churchyard was to be levelled, and the rest of the carpenters' work finished as soon as possible. No sooner were the seats in the church comfortably finished than the Guild determined upon having a gallery erected. An estimate was taken for the same on October 7th, 1654. The carpenters agreed to put it in for £40, and there were five dormants at the Castle from which wood enough might be got to finish the church. On February 4th, 1656, another gallery was ordered to be put up opposite the pulpit,—Mr. Henry Morton to draw a model and give estimates for the same. The estimate amounted to £60, £20 of which was paid by John Rushworth, and £40 by Captain Tweedy. This gallery was finished on the 2nd of July. A third gallery, in the east end of the church, was arranged for on April 17th, 1657, and timber to make this gallery was obtained from a wreck which had taken place on Spital coast. The Earl of Suffolk sent a letter to the Guild to give them permission to take from this to the value of £10 towards the erection of a gallery in Berwick Church. The pulpit was on the south side of the

church, and now it was galleried right round on the other three sides in true Presbyterian form. It was built in Puritan times, with little regard to beauty or ornament. It has no steeple, and the bells for the church are the same as those used on the town's occasions, and are hung in the steeple of the Town Hall. All that the Guild really wished was a commodious church to hold a sufficient number of people. Thus the church was built, and thus it remained till July 6th, 1662, when an order was received from the Bishop of Durham to pull down the galleries. This was resisted by the Mayor till a more imperative order came on August 29th, when it was commanded that the east gallery be pulled down, in order that 'a communion-table and chauncell' might be made at the east end of the church, and a font made as in other churches. The font was set up at the west door at the town's charges and paid for by an assessment, which included the expense of a Book of Prayer and a Bible.* The church, thus remodelled, was consecrated by the Bishop of Durham, who took it ill that he was so badly received by the town. The church was now restored to the form in which it remained, with some very slight alterations, till recent years, when a proper chancel was erected and the interior renovated as it now exists.

We now return to the curates, vicars, and ministers. We saw that Dury had left the town, and we find that he remained absent for some years. When he returned he taught the Grammar School in Webb's temporary absence, but he never regained his position as Vicar, for he died as the church was being remodelled after the Restoration. After Oxenbridge departed, Mr. Davison came as preacher, and was removed, after a residence of two years, to Sandwich; but he promised to advise, with Dr. Goodwyn and Dr. Owen,† about ministers coming to this town. In 1655 Luke Ogle was called as an able man to succeed Davison, and an extra gratuity was given to Mr. Wrissel for his pains during these changes. To Ogle was given £120 for house and salary. This money was paid for a few years from the impropriate Rectory of Berwick, which had lately come into their possession. There was no further change of ministers till after the Restoration.

A very thoughtful order was now (1657) inserted in the Guild books. 'Mrs.

* The old pulpit out of the parish church was sold on July 10th, 1657. This old pulpit was in all probability the pulpit in which Knox preached when in Berwick in 1548.

† Dr. John Owen is reported very commonly to have preached at the opening of the present church; but this does not seem to be the fact. He preached in Berwick on July 21st, 1650, three months after the foundation stone was laid and two years before the church was opened. Cromwell was in Berwick on that 21st July, on his way to Scotland, and no doubt heard Dr. Owen preach the sermon published in his collected works from the text, 'For my house shall be called an house of prayer for all people.'

BERWICK.

[HERRIOTT, Photographer]

Fisher wants the "pue" on the south side of Lady Selby's seat* nigh the pillar for the conveniency of women to be churched, and that a lock and key be got for it, and the midwives to have the key in keeping, and thus the women will not be thronged.' Likewise five seats in the gallery are reserved for those that have borne office and for ancient burgesses, and the order is that doors be put on these, and that the seat and desk-board be covered with green cloth.

Ralph Crawforth, the parish clerk, was very uncivil in his behaviour, and therefore he was dismissed. Luke Ogle was anxious for a Scotsman, but Wilson, of Remmington, was appointed, and to have a 'tryall' for three months. It will be noticed that the Guild present and appoint all the church officers at the present time, and have always done so from the beginning of the Guild books.

On the Restoration, Ogle at once got into difficulties. He was very pronounced in his nonconformity, and rumours were at once abroad about his removal. He was not allowed to preach even till the Act of Uniformity was passed; but was asked to desist at once, unless he would read the Book of Common Prayer. The Guild suggested that they would get some one to read the 'Book' if they would allow Ogle to preach. But this would not do, and very soon both he and Wrissel were removed for nonconformity.† William Coxe was appointed Vicar on July 29th, 1662, and was succeeded in two years by Smithson, who was transferred from the Lectureship. He continued to be vicar for eight years, when the following alarming notice occurs: 'On May 2nd, 1672, this day the Maior acquainted the Guild that Lisly Forside, burgess, being summoned to watch Mr. Smithson, now a prisoner in gaol for the murthering of his wife, as other inhabitants were, refused to go, and when Mr. Maior came in person to him and commanded him to go he would not, but gave him saucy words.' Forside was summoned to next Guild to answer for his conduct. 'On October 2nd, 1672, whereas, by the horrid murder which Mr. John Smithson, late Vicar, committed upon his own late wife, Sarah Rosden

* Lady Selby had, shortly before this, got leave to bury her husband anywhere in the church, save under the seats.

† Ogle remained in Berwick till the Five Mile Act was put on the Statute Book, when he retired to Bowsden, where he had a small estate. He started a Presbyterian Church in Lowick, which still continues. He returned to Berwick in 1690, and preached in the Grammar School at times when he could not disturb or interfere with the teaching. He lived for some time in the School House. He died in 1696. Mr. William Forster succeeded Ogle, and lived in the School House for some years. Ogle's son became Recorder of Berwick and M.P. during several Parliaments.

Nicholas Wrissel remained in the town preaching and teaching till 1685, when he withdrew finally from Berwick and went to London, spent some time there, and afterwards taught a school at Stockwell, where he died in 1695 or 1696.

(sister of Rosden, lessee of the Rectory), of which inhuman murder he was found guilty, condemned, and executed for the same according to law, all his tenements, lands, goods, and chattels whatsoever at the time of the felony committed are, by his Majesty's charter granted to this Burgh, forfeit to this town.'

William Mitford succeeded Smithson on January 2nd, 1673, and in one year exactly he told the Guild that he was going to another place to be nearer his aged father and friends, and not out of any disrespect to the place. Thomas Bourne or Burn was the next Vicar, and remained for six years, when he was succeeded by John Harper.

On the death of the parish clerk in 1680 a difficulty arose about the appointment of another. The Vicar claimed the right, and the town held that the right was theirs. Burn was observed to ride out of town as if to go to Durham, and William Fenwick was ordered to take post and watch his proceedings. He came up to him at Alnwick, and rode on to Durham before the Vicar. This matter ended here; for Burn left the town at this crisis, and John Harper succeeded. The new clerk, Andrew Veagleman, was appointed in the vacancy, and Harper did not interfere. In 1686, Patrick Robertson obtained the appointment as Vicar, and held the office till his death in 1720 (?). This is a doubtful date. Randall has 1700, which is wrong, for Robertson is mentioned in the Guild Books as Vicar in 1716. His successor, Robert Blakiston, is not named till 1721. In Robertson's time (1718) the lecturer Darant became very unpopular. He was anxious to appoint the churchwardens, and the Guild became very wroth at his presumption. They petitioned the Mercers' Company to remove him and send some one of such a Christian temper and practice as might heal the breaches which had been made for want of such a man amongst them. In 1719 the appointment of churchwardens became a serious quarrel with the Vicar. He appointed his, and the town theirs. They consulted the Recorder, and he answered 'that they may and ought to appoint them according to their custom.' But the quarrel continued, and Mr. Cunningham, curate, assaulted one of the churchwardens, George Simpson, by wresting the cup out of his hand wherewith he was collecting the offering. The town in this instance was successful, and the Dean and Chapter did not wish any further trouble in this matter. Robert Blakiston, the Vicar, submitted to the Guild in the appointment of the parish clerk. In 1726 he formally renounced in favour of the Guild all interest in such appointments, and declared that the filling up of both offices rested in the Guild alone. In March, 1731, the Guild, still Puritan in its tendency, petitioned in favour of the repeal of the Test and Corporation Acts. This petition was signed by the Mayor and the Protestant dissenters in the town.

Next year the Right Reverend Bishop was coming to town, and they decided to give him a treat along with General Wade, and to entertain them as cheaply as possible in the poor circumstances of the town. In 1726, Blakiston was followed in the Vicarage by Thomas Cooper, the Guild's favourite Vicar, upon whom they conferred the £30 previously part of the Lecturer's salary. The promise was made to Cooper that this benevolence would be continued if the Mercers did not make their next appointment contingent on their Lecturer receiving the bonus. Cooper died in 1747, and was succeeded by Thomas Thorpe. After the latter had been two years in office a new Vicarage was built with £200 from the Bishop of Durham and £100 from the Dean and Chapter, on condition that the Corporation gave a piece of convenient ground for the house. The Guild granted the garden of the old Correction House for the purpose, and the Vicarage, built in this year, after serving for a Vicar's residence for nearly 100 years, is now used as the Girls' National School. Some seats were in this year (1749) erected over the portal to the church for William Stow Lundie and Mr. Edmeston, Alderman, and their families. In 1756 the collections, which, up to this time, had always gone to the churchwardens, were now divided, one half to them and the other half to the Vicar. Thorpe died in 1767 at the age of 71, and was succeeded by Joseph Rumney, who was Grammar School Master. The Sunday afternoon Lectureship was continued to the Vicar, for which he received the usual fee, £30. These offices he held till his death in 1805. He was succeeded in them all by Joseph Barnes, and the £30 continued to be paid him as usual. This sum had been paid the Sunday afternoon Lecturer since 1728, and was continued till 1886, when, on the lease of the tithes passing out of the hands of the Corporation, it ceased altogether. Before 1728, from the Commonwealth period, it had varied from £10 to £20. It will be found that all this time the Guild considered the church their own. They appointed the officials, they paid for all repairs, and all necessary expenses, such as

'£1 for washing the surplice; £1 15s. for velvet buttons for the cushion in the pulpit; 10s. for two books, one for the cess, the other the register of the dead; £2 9s. 11d. for the church dial. In 1680, £1 11s. 9d. for a table-cloth and two napkins for the church; £72 for repairing the church windows; £4 3s. 6d. for exchanging the Communion cup into two silver cups for the church. In 1681 for new surplices for the church £2 13s. 5d.; 2s. 6d. for mending the surplices, etc.'

In 1751 the Easter offerings were transferred to the churchwardens, and thereout they paid for the elements used in the church and other expenses. The Guild, who still paid an annual sum of 30s. for washing the church linen, directed this to be paid out of the same amount. On renewing the lease of the Rectory in 1830, it was agreed that £100 be reserved for the Vicar's salary; and the Corporation, on the 29th of May, 1832, granted an additional £50 to the stipend, on

condition that the Dean and Chapter added £50. The successive Vicars since Rumney, who died in 1853, have been the Rev. George Hans Hamilton, Canon of Durham, who succeeded to the office in February, 1854; the Rev. John George Rowe, who entered on his duties in 1866, and was succeeded in 1880 by the Rev. Charles Baldwin, Honorary Canon of Newcastle.

It is a curious circumstance in connection with the history of the church in Berwick that the Guild continued till quite a recent period to appoint the churchwardens of the parish. This right of the Guild had often been questioned by the Vicars. It was not, however, till 1829 that the question was taken up in real earnest. The churchwardens of that year determined, on the 23rd of July, to take counsel's opinion upon this right. Undoubtedly the opinion, though not given, would be in favour of the practice which now obtains. The Guild determined to oppose the churchwardens and defend their right. The case was taken to the Court of King's Bench and decided against the Guild on the 27th of January, 1832. This plea cost the Corporation from £1,200 to £1,500. Since this date the election of the churchwardens has been made by the parish and the Vicar, according to the usage of the Church in England. The Guild, being defeated in this plea, gave up voluntarily the right of electing the parish clerk. William Rowland, who had been parish clerk for a considerable period, died in 1832, and on the 27th of March, 1833, the parishioners for the first time exercised their right of election, and chose William Allison as Rowland's successor.

There had been some additions to the old churchyard in the early years of this century, but many writers remark upon its being excessively crowded with gravestones, and certainly it was full time that the churchyard ought to have been closed against further burial. A law was passed which ordered it to be closed in 1854. The churchwardens and vestry immediately determined on securing a site for a cemetery outside the walls of the town. After considerable delay, 11 acres 22 perches of ground at Graingeburn Mill were exchanged for 5 acres 1 rood in the Inner Cowclose, on the Edinburgh Road, which were formed into a burying-ground. In it were built two mortuary chapels, and a set of prices were framed for all burials, etc. This cemetery was opened on September 1st, 1856. It cost the parishioners about £3,800 to fit it properly and prepare it for burial. Its area has since been enlarged by a considerable addition on the west side of the former cemetery. The old churchyard was closed in 1856 for all burials, save for the survivor in any case where a husband or a wife had been already buried in the churchyard.

There is one other Episcopal church in Berwick, in Castlegate. This church

was built in 1858. The building was erected at the expense of Captain Charles W. Gordon, who presented £3,000 for this purpose. It is called St. Mary's, after the old church demolished in 1558. The living is a vicarage of the value of £380, in the gift of the Dean and Chapter of Durham. Its vicars have been: Rev. John Irwin, M.A., Rev. Baptist James Holmes, M.A.; and the present incumbent is Rev. James King, M.A.

We have seen that the leading men of Berwick were strongly Puritan and Nonconformist in their tastes. When the Restoration came, and the different Acts by which Dissenting ministers were prevented even from living in the town, the Guild connived as much as they dared at these Acts, and it would have been possible to have found in Berwick some one or other of the nonconforming ministers at any time during these repressive years. It was not till 1685 that Wrissel was obliged finally to leave Berwick. Ogle returned from his exile in 1690, if not in 1688. Ogle was succeeded by William Forster in maintaining nonconformity in the town; and shortly after this, during the time that Darant the Lecturer was so unpopular, and the patronage of the Mercers' Lectureship was taken out of the hands of the Guild, the leading merchants and inhabitants revolted altogether from the Episcopal form of worship, and introduced Scotch Presbyterianism into Berwick. A congregation was started in 1719, and the church, long known as the Low Meeting, was erected on the east side of Hide Hill, a considerable distance back from the main street. The Rev. John Turner was the first of its ministers. This form of worship must have become very popular in the town, for in 1724 the High Meeting-House was erected on the east side of High Street, and again situated considerably back from the main street. In fact, all the nonconforming churches built until about fifty years ago were in concealment; so that any person passing through the town might have traversed every public street and not discovered a church or chapel in it. There was not at that time a single spire in the town but that of the Town Hall. These two meeting-houses were seated to hold more than 2,000 persons; the first was calculated to seat 600, the second 1,500, and for many years they were both well-filled churches. The following is a complete list of the ministers of the High Meeting:

1. John Somerville or Somervail - 1729—1754.
2. John Goldie - - - - 1754—1761.
3. Dr. Robert Henry* - - - 1760—1768.

* Dr. Henry came from Carlisle to Berwick, and was appointed assistant and successor to Goldie. He was afterwards translated to New Grey Friars, Edinburgh. He is known as the author of a 'History of England.'

4.	James Williamson*	1768—1776.
5.	John Kelloch	1776—1801.
6.	George Tought†	1802—1812.
7.	William Johnstone‡	1812—1823.
8.	James Reid Brown§	1824—1831.
9.	Robert Cowe‖	1832—1839.
10.	George Crichton¶	1839—1844.
11.	James Miller	1845—1874.
12.	Robert Smith	1875; left 1877.

After Smith's retirement the church was kept open for a short time by two young men who successively acted as *locum tenens*, but the attendance became so small that the remanent members were merged into those of the Low Meeting in 1879. The church was then closed, after an existence of 154 years.

With the list of ministers of the Low Meeting I have not been quite so fortunate. This is their order as far as I can learn:

John Turner	1719—1734.
Adam Murray Campbell**	left in 1760.
John Gardner	1766.
James Aitchison	1782.
James Smith††	1797.
John Brown	1806.
Thomas Johnstone‡‡	1815.
James Henderson	1822.
John Crambe	1824.
Alexander Murdoch§§	1836.
William Gray	1854.‖‖
James P. Edgar	1859.

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* In his time cups and flagons were bought: '4 cupps £7 12s. 2d., 4 Flagons £1. Engraving 6s. 6d. The Tabel Linning £1 10s. 8½d. To pay these items collected among the *princepsell* hearers £10 13s. 9d.'

† Translated to Ayton parish church.

‡ He died on August 3rd, 1823, and was buried at Wooler on August 8th.

§ Was translated to Swallow Street, London.

‖ Cowe of Whitsome translated to parish of Whitsome, of which he was a native.

¶ Retired in ill-health, and was maintained by an annuity from the church for many years.

** Campbell went to Lilliesleaf.

†† Smith was translated to Eyemouth.

‡‡ Historian of Berwick. He published a small octavo of 230 pages on Berwick.

§§ Murdoch in 1843 cast in his lot with the Free Church of Scotland. He was anxious to have taken the church building over as well. In this he was opposed, and a tedious lawsuit ensuing, it was decided against him. He left the church in 1846, and started another meeting in town in accordance with his views. The list up to this time is not complete. We learn in the law plea that Murdoch was the thirteenth minister from Turner, and we have found only eleven names.

‖‖ From 1846 till 1854 the pulpit was supplied with occasional preachers.

James Forbes - - - - 1863.
James Kean, M.A., B.D. - - 1874, present minister.

The Middle Meeting, as Chapel Street Church was at first called, was begun in 1756. Mr. Thomas Menteith, who had been for some time usher in the Grammar School, and who had for a year conducted a private school, seems to have got this meeting-house erected in the same connexion as the other meeting-houses already in town. He continued to conduct its services till 1767, when he left, on being called to Dunse to a Relief congregation there.

He was succeeded by the Rev. William Crookshank, M.A., a minister in connection with the Church of Scotland; but he, failing to give satisfaction, was removed to Swallow Street Church, London. No doubt this dissatisfaction arose from the fact that the congregation had strong Relief tendencies as well as its first minister. After Crookshank retired, it became connected with the Relief Synod. The church is seated for 780. The first minister in this connexion was Rev. Andrew Thomson, settled in 1788. The following ministers succeeded:

2. Robert Hall, from Dundee - - - - - - - 1814—1834.
3. William Ritchie, from Auchtergaven - - - - - 1835—1859.
4. David Paterson, from Newcastle, colleague to Mr. Ritchie - 1857—1858.
5. James McLeish, from Dunning - - - - - - 1859.
6. Robert Charles Inglis - - - - - - - 1875, present minister.

Wallace Green Church.

This congregation was the first in Berwick that originated, not only in dissent from the Episcopal Church of England, but also from the Presbyterian Church of Scotland, as represented in Berwick by the High, Low, and Middle Meetings. Some of the members of these churches were 'desirous of a purer dispensation of the Gospel and a stricter exercise of discipline than were afforded in the connexion to which they had previously belonged.'* They applied for and obtained supply of sermons from the Associate (Burgher) Presbytery of Edinburgh, in 1770. A church was built in Golden Square in 1771, and the building was enlarged in 1796. It was capable of holding 1,000 people.

A new church was built in Wallace Green, whose foundation-stone was laid by Dr. Cairns, the pastor of the church, on June 2, 1858. This modern Gothic building was completed in the following year, and opened on the third Sabbath of June, 1859. The site cost £705, and the church-building £5,000.

* Mackelvie's 'Annals and Statistics of the U.P. Church,' p. 100.

An additional gallery was added in 1865, costing £194 1s. 11d. The sittings at first accommodated 970, now 1,031.

The first minister was Alexander Dickson, from Blackfriars, Jedburgh; ordained April 22nd, 1772; died September 12th, 1780.

Second, John Blackhall, from Selkirk, called to Dundee and Berwick; ordained January 3rd, 1782; died March 3rd, 1813, after a ministry of thirty-two years.

Third, Robert Balmer, D.D., from Blackfriars, Jedburgh. He was called to Lochwinnoch, Ecclefechan, Leslie, and Berwick, and, choosing Berwick, he was settled here on March 23rd, 1814; appointed Professor of Theology in 1834. The University of St. Andrews conferred on him the degree of D.D. in 1840. He died July 1st, 1844, after a ministry of thirty-one years. He published several volumes of memoirs and sermons. A memoir of his life was written by Dr. Henderson, of Galashiels.

Fourth, John Cairns, D.D., LL.D., Principal of the Theological Hall of the U.P. Church of Scotland. He came from Stockbridge, Berwickshire; ordained 1845. While he remained in Berwick he received several calls to other churches, all of which he steadily refused. Appointed Professor of Apologetics to the U.P. Church in 1867, and in the remodelling of the Theological Hall of that church in 1876 he resigned his ministry in Berwick, after a pastorate of thirty-one years. He is author of several philosophical and religious treatises.

Fifth, John Smith, M.A., from Forres. He was ordained on June 17th, 1878; removed to Broughton Place, Edinburgh, as assistant and successor to Dr. Andrew Thomson in 1885.

Sixth, William Ainslie Walton, M.A., B.D., from Edinburgh. Removed from Sunderland; inducted February 18th, 1886.

Church Street Church.

This congregation began as an Anti-Burgher place of worship, in 1812. The church was built in the same year, and accommodates 600 worshippers.

1st minister, William Young, A.M., ordained April 3rd, 1816.
2nd „ John Peden, admitted February 22nd, 1842.
3rd „ James Grierson Scott, ordained November 15th, 1859.
4th „ John Crombie Brown, LL.D., inducted March 2nd, 1867.
5th „ James Stephens, M.A., ordained January 24th, 1871.
6th „ John Orr, M.A., ordained February 23rd, 1877.
7th „ Joseph Rorke, ordained June 21st, 1883.

Bankhill Church or Zion Chapel.

This congregation originated in a 'split' from Chapel Street, in 1835, and the church was built and opened for worship in 1836. It accommodates 530 hearers.

First minister, Alexander McColl, ordained July 16th, 1835.
Second minister, Hugh Dunlop, August 2nd, 1848.

It called, after Dunlop's resignation in 1851, a number of probationers in succession, who all refused to enter upon duty in that place. Dispirited in this way, the members of the congregation dispersed among the other churches, and the place of worship was sold on February 15th, 1853, to the Presbyterian Church of England.

The first minister under the new connexion was Alexander Murdoch, who was forced to leave the Low Meeting as related under that church.

Second, Peter Thomson, ordained 1858.

Third, Robert Scott, ordained 1862.

Baptist Chapel.

This chapel had its first meeting-place in Walkergate Lane, in 1810, and was afterwards transferred, in 1858, to its present situation in Castlegate. This place of worship was built (1848) in connection with the Independent body, which ceased to exist in Berwick shortly after that date.

Its present minister is the Rev. James Mursell, ordained to the charge in 1886.

Wesleyan Methodist Church.

Its chapel was built in 1797, partly by subscription and partly by funds belonging to the connexion. Long before this period Wesleyanism may be said to have been known in Berwick. John Wesley's first visit to the town occurred as early as 1748. His own account of this visit is as follows:

'We took horse between eight and nine o'clock, July 20th, and a little before two we came to Berwick. I sent to the commander of the garrison to desire the use of a green place near his house, which he readily granted. I preached at seven to 2,000 people (it was judged). I found the generality of them just such as I expected, serious and decent, but not easy to be convinced of anything.

'Next day we walked round the walls, which they were repairing. Every one was now reverent and quiet, so different from yesterday, when we were hallooed along the street. Children were even silent now; grown people pulled off their hats everywhere.

'Monday, 24th, preached on the bowling green. Wind was very sharp; several showers, but none went away save five or six.'

In 1759, when he came, the Mayor gave the Town Hall, where he always preached afterwards. This time he preached to a 'very drowsy congregation.'

'Wednesday, 18th May, 1768. I came to Poor Dead Berwick. However, I found a few living souls there.'

'In 1779, Tuesday, 25th May. In Town Hall again. Many officers, as well as soldiers, there; and the whole congregation much affected. Shall we see fruit at Berwick also?'

In 1788 was his last visit. Several of his hearers attended, to whom he spoke plainly.

The Wesleyans obtained the Town Hall as their first place of worship, where they continued until 1797, when the chapel in Walkergate Lane was built. In 1878 it was rebuilt, on the same site, and much improved.

The Primitive Methodist Chapel was erected, in 1829, in College Place, and possesses accommodation for 400 hearers.

The Roman Catholic Chapel is in Ravensdowne. The present building was opened in 1829. The sermon was preached by Rev. Thomas Gillard, of North Shields. Previously the Holy Sacrifice was offered in a small chapel in Church Street. This building was afterwards used as a school.

The Chapel in Ravensdowne was restored in 1886. The exterior part of the building was repaired by a new stone entrance, surmounted by a stone cross, in 1887. The church is dedicated to Our Lady and St. Cuthbert, and accommodates 300 persons. The Catholic population may be reckoned at 800.

A new school was built, in Walkergate Lane, in 1883, at a cost of £600. The attendance is about 160.

Tithes.

THE great and small tithes of the burgh belonged to the Dean and Chapter of Durham, who were in the habit of letting them on lease for a term of twenty-one years, renewable at the end of every seven years for a term of twenty-one years from that time. William Rosden was the tenant at the time of his death, in 1648, when, in consequence of an inquisition returned to a jury before the Coroner of the Burgh finding him *felo de se*, the lease with his other effects became forfeited to the Corporation. This lease did not include the tithes of salmon caught on the north side of the Tweed, the only part of the river which was within the limits of the burgh; but these, with the tithes of certain of the fisheries on the south side, were let by the Dean and Chapter of Durham to other tenants. In the following spring the four bailiffs were authorized to collect the Easter offerings and all other profits to the Rectory belonging, as tithes of hay, corn, lambs, wool, lint, hemp, pigs, geese, and other perquisites whatsoever. A portion of these tithes was sublet for £60. The petty tithes for the year 1650 were let at £46, next year at £80. In 1652 both great and petty tithes were ordered to be gathered in kind. In the month of May following the Corporation received the lease of the tithes; and in October the great and petty tithes were let to farm with the other revenues of the Corporation. In May, 1655, the Corporation, by their agent, took a lease of the tithes for six years, at an annual rent of £100. A portion of the petty tithes was let for the following year at £20 10s.; for the next year at £23 10s.; for 1658, at £25 10s.; for 1659, at £25; and in 1660 they were let for the same rent. In 1661 the Corporation took a new lease of the tithes in the names of trustees. The fine for renewal of the lease was £65,

and the petty tithes continued to be let for about £20 a year. That this was a profitable speculation is abundantly evident. Thus the renewal of the lease in 1795 cost £628, and in the same year the tithes of the estates within the burgh which did not belong to them were let for £630 per annum. The annual rent at this time payable to the Dean and Chapter and Vicar of Berwick was only £90. With the exception of this small sum the Corporation held all the meadows and stint lands and treasurer's farms *tithe free.* These would have brought in about £1,260 of tithes, so the Corporation were presenting themselves every year with more than £1,000. The renewal of the lease in 1803 for twenty-one years cost £1,704 4s. 9d.

I present here a copy of the lease, drawn out in 1735, which may further elucidate the nature of the tithes.

On March 2, 1735, Indenture between the Mayor and Bailiffs and burgesses of the one part and Joseph Forster the younger, of Berwick, burgess and butcher, of the other part. It is witnessed that the said Mayor, Bailiffs and burgesses did demise, grant, set, and to farm let, unto the said Joseph Forster, his executors, administrators and assigns, All the grand and petty tithes within the parish of Berwick, in the several villages and places and the lands thereof and thereinafter mentioned, that is to say, Inner Castle Hills, Letham, New Water Haugh, Sanson Seal, Fairney Flat, Yellow Gowland, Baits Cross, Baits Strand, Crawforth's Closes, Marshall Meadows, Gainslaw Hill and Magdalene Fields, that is to say, the tenth sheaf of all corn and grain, the tenth fleece of wool, except the tithes of Broadsheugh, and Gainslawhill, 2s. for every score of lambs, 3d. for every milk cow, the tenth part of the lint, hemp, eggs, hens and other petty tithes except the tithes of hay; to hold unto the said Joseph Forster, his executors, etc., for 7 years next ensuing, yielding and paying thereupon yearly the rent of £51 at Martinmas, 1735.

'Covenant of Lessee for payment of the rent, covenant by the Mayor, Bailiffs and burgesses for quiet enjoyment in payment of the rent and performance of the covenants.'

Nothing new occurs in the letting or management of the tithes until we come to more recent times. The management of the Corporate revenues in 1803 was extremely improvident. The Corporation was running daily more and more into debt. It was quite evident that burgesses and widows of burgesses divided among themselves, in the shape of meadows and stints, much more than the expenses to which these lands were subject, warranted; but the large profits derived from the tithes of the parish enabled them to persist in this ruinous course for at least six or seven years after each renewal of the lease. When the septennial term of renewal, however, came round, it was generally found the Guild had nothing wherewith to pay for the renewal, and there was no alternative but to borrow money to pay the fine and fees exacted by the Dean and Chapter. What has led to these remarks is the fact that the leasing of the tithes was the chief cause of the enormous debt that now loads the property of the Corporation. In the way indicated the chief part of the debt was incurred. On the renewal of the lease every seven

years, borrowing was always resorted to, till the debt very soon assumed not only large but even alarming proportions. In 1809 the Guild seem to have been convinced of their folly, and they determined in future to follow a wiser course. It was therefore agreed, at an adjourned meeting of the Midsummer Head Guild, held on July 26th, that the tithes should be vested in Trustees for the term of nine years to enable them to borrow money for renewal of the lease, for which purpose, by the deed to be executed by them, they might be enabled to receive all the rents for which the tithes should be let during that term, and to pay thereout the interest of the money which they should so borrow; and that they should invest the surplus from time to time in the public funds to accumulate, and to be applied in paying off each loan, or towards the fine on the following renewal of the lease. It was also ordered that the deed should be so framed that the Guild should not have it in their power to take away what was thus invested in the Trustees until the expiration of the term. The Guild also ordered that the sum of £2,000 should be forthwith borrowed and paid over to the trustees, and that they should apply the same towards obtaining a renewal of the lease. At the same Guild they let by auction the following grand and petty tithes of the lands within the bounds of the Burgh (as aforesaid in the above lease): to wit, the tenth sheaf of all corn and grain; the tenth fleece of wool; the tithe of hay, potatoes, and turnips; 2s. for every score of lambs (except the lambs and wool of Gainslaw Hill); 1½d. for every milch cow; the tenth part of lint, hemp, pigs, hens; and other petty tithes of places aforesaid, with the stackgarth and barn usually demised with the said tithes for the next seven years from Lady Day preceding, at an annual rent of £535. This, of course, does not include the 'Treasurer's Farms,' nor 'meadows nor stints.' All these were let tithe-free, as usual. In December, 1815, the Guild ordered that the sum of £3,000 be borrowed for the purpose of renewing the lease, the cost of which was £3,739 7s. 6d. The term was for twenty-one years, the yearly rent to be £10 and £80 to the Vicar. The tithes of the lands not belonging to the Corporation were let in 1817 for £603 15s. 6d., and in 1818 and 1819 they were let for nearly the same sum.

The Trustees of the tithes in 1817 presented a report to the Guild desiring reappointment for the term of eleven years. They stated in this report that since the previous renewal they had received three years' rent of the tithes, which had enabled them to invest £1,734 6s. 2d. Navy 5 per cent stock, and that they had a balance of £10 in hand, making about £1,831 at the present price of stock. The trust-deed was renewed accordingly, and another deed executed on the same terms

as the first. This deed was executed in 1822. The fine and fees on renewal in 1823 were £3,741 17s. 3d., and in 1825 the usual tithes were let for £604 annual rent. In 1830 the fine for renewal was £3,577 13s.; but at the expiration of fourteen years from that time, in 1844, an additional yearly rent of £100 was to be reserved and paid to the Vicar, and in consideration £100 less would be demanded by the lessors.

On May 9th, 1837, the Council ordered the Trustees of the tithes to take into consideration what was expedient to be done in relation to the tithe lease. They afterwards reported that 'they possessed ample funds for the accustomed septennial renewal, and recommended the Council to procure a new lease, as the property was of a very beneficial nature, independently of the great advantage derived by the Corporation from being enabled, by holding it, to let their lands tithe-free.' The Council authorised them to correspond with the Dean and Chapter as to the renewal and report. The fines and fees were fixed at £3,572 15s. 6d., and the Trustees were ordered to sell out stock sufficient to pay that sum, and to complete the renewal of the lease. If this plan had been adopted at first, the debt on the Corporation would have been of a very trifling character. The Treasurer in November, 1839, reported to the Council that the tithe trust-deed expired on March 25th preceding; that in the following October he had invested £314, the balance in his hands, in the purchase of 3⅛ per cent. reduced annuities, and that the stock then standing in the tithe Trustees' names amounted to £2,718 15s. 4d., at 3½ per cent., stock selling at 97⅛ per cent. On December 3rd the Council ordered that a release should be given to the tithe Trustees, and that the tithe funds should be invested in the names of the Mayor, Aldermen, and Burgesses. The lease continued to be renewed every seven years, until the year 1886, when it was allowed to lapse. The Tithe Commissioners, who have now the management of the collection of the tithes, demanded that the Corporation should either purchase the tithes at such a value as they put upon them, or they should resume the lease into their own hands and collect the tithes themselves. The latter alternative has been adopted, and the spring of 1887 has seen, for the first time for at least 240 years, the tithe gathered in this fashion from the freemen's property. In 1851 the tithes were commuted into a rent-charge, and could no longer be demanded in kind, and, on the 22nd June, 1886, the lease of the tithes, which the Corporation had so long held, lapsed into the hands of the Commissioners.

Charities.

House of Correction, Graingeburn Mill, and Burrs.

THE idea of a House of Correction started with Sir Robert Jackson, who left £50 to aid in erecting such a house for causing stubborn and idle people to be set on work, and for the better help of poor orphans and other people who were not able to maintain themselves, but by such work. Unless the house was started within three years the money was to be put to some other pious use. It will be noticed that on the founding of the Grammar School, if there was an overplus from the subscriptions, it was to be paid over to the same purpose as the £50 which Sir Robert had left. He died in 1646, and about two years afterwards, the Guild applied for the £50 to dispose of it to some poor people in town, for they (the Guild) were too poor to begin a Correction House. Shortly after this two Burgesses offered £10 each, and another £5, towards this purpose. On 21st December, a committee was appointed to consider the propriety of erecting such a building, and to collect all the poor-money in the hands of any one, so that the intended work should not be delayed. On October 15th, 1650, the Head Guild appointed a committee of seven Burgesses for the settling of a House of Correction for the relief of poor people, with full powers, as in the previous committee.

As the Claywalls and the Graingeburn Mill, which had been mortgaged, would soon be redeemable, it was further ordered that the money to be collected should be employed for the redemption thereof, and that the rents, issues, and profits of these premises should be established for that end: and the committee were fully authorized to settle the same by deed accordingly. The churchwardens were called upon to assist them in thus arranging for the help of the poor. On May 24th, 1652, a vestry was held in the church, at which the Mayor, and other Justices of the

Peace, the bailiffs, churchwardens, overseers of the poor, and other neighbours were present, when it was found that the Corporation were justly indebted unto the poor of the parish in the sum of £350; and it was agreed upon, in full satisfaction of that debt, that the moiety of Graingeburn Mill, with the several parcels of ground called the Claywalls, and Burrs, *alias* Allerbush, should be conveyed to the churchwardens and overseers of the poor and their successors for the time being, to and for the upholding, maintaining, ordering, and disposing of a House of Correction within the Burgh. The other moiety of Graingeburn Mill was to be conveyed to the same parties for the £50 given by Sir R. Jackson. Accordingly the following deeds were duly executed, and livery and seizin delivered to the grantees:

'May 28, 1653. Indentures between the Mayor, Bailiffs and Burgesses of the one part, and Andrew Crispe, Alderman of Berwick, of the other part. Reciting that the late Sir R. Jackson by his will dated January 15, 1646, did bequeath the sum of £50 for and towards the erecting and maintaining of a House of Correction within the burgh, and that the said Andrew Crispe, at the instance and by the appointment of George Paylor, Esq., executor of the said Sir Robert, had paid and satisfied unto the said Mayor and Corporation the said sum of £50, the receipt whereof was truly acknowledged. It is witnessed that the said Mayor, Bailiffs and Burgesses, for and in consideration of that sum and for divers good lawful causes and considerations therein moving, did fully and absolutely give, grant, bargain, sell, alien, enfeoff and confirm unto the said Andrew Crispe: All that moiety of the Water Corn Mill with the appurtenances within the precincts of Berwick called the Graingeburn Mill, together with grounds and lands thereunto belonging, To hold unto the said Andrew Crispe and his assigns during the term of his natural life with remainder, To such person or persons as Mr. Mayor and the General Guild of the said town should think fit to appoint from time to time to and for the following uses, intents and purposes, viz.: To and for the erecting, etc., of a House of Correction within the burgh, and for the better maintenance, ordering, providing and disposing of the poor therein for ever, and all other sturdy and idle persons coming and being therein, and for the setting of them and every of them to work, and to no other use, intent or purpose whatsoever.

'Livery and seizin were delivered by an attorney duly appointed by the Corporation to the feoffee on June 1st following, and the tenant attorned tenant to him.

'May 28, 1653. Indenture between the Mayor and Corporation of the one part, and Robert Trumble, Nicholas Lowe, Thomas Lindsay, John Forster, churchwardens, and Thomas Dickenson, Richard Winloe, John Turner and William Rogers, overseers of the poor, within the burgh of Berwick, of the other part: Reciting the above conveyance and the said order and agreement made at the said vestry meeting. It is witnessed that the Mayor, etc., for and in consideration of the sum of £350 so by them owing to the poor of the parish of the burgh of Berwick, did fully give, etc., unto the above named churchwardens and overseers of the poor, All that moiety in full, part of the Graingeburn Mill, together with the several parcels of ground situate within the bounds and liberties of the said burgh called the Claywalls and Burrs, alias Allerbush, with all the appurtenances, To hold unto the above named churchwardens and overseers of the poor, their successors and assigns to the following uses, intents and purposes, that is to say: To and for the erecting, etc., of a House of Correction within the burgh of Berwick aforesaid, and exactly as in the preceding deed.'

The necessity of having a House of Correction for putting idle persons to work was again brought before the Guild held in January, 1654, when it was

suggested that the 'Queen's Stables,' which had been granted to the Corporation by James I., but were then in possession of the garrison, should be used for the purpose, and that the consent of the Governor be applied for.

In January, 1657, in answer to an inquiry from General Monck, who was then in Berwick, how the revenues arising from the sequestered estates of Lord Mordington had been disposed of, the Guild replied that they had applied part of them in setting a House of Correction on foot. With this explanation the General seemed well satisfied. They applied to Cromwell, through Lord Widdrington and others, for permission to use £300 of the balance of Lord Mordington's money in setting forward the house—£100 to erect the building, and £200 to purchase stock for it. The Guild also determined that some able man should be sought out to take the future management thereof. The house was put in proper repair for £50, and after extensive inquiries as to the conduct of such a house, and as to the master's duties, and so on, they appointed Samuel Taylor to that responsible post. A bond of £100 was taken from Taylor that all the stock of spinning-wheels, etc., should be delivered by him at the end of his time in good and sound condition. This stock cost £109, which was taken out of the estate as arranged. The object of this house was to teach poor children to work. For instance, the vestry were desired 'to procure boys for the House of Correction.' The Queen's Stables were thus converted into the Correction House. All this trouble of erecting and settling a Correction House amounts to the ridiculous! After Taylor had been engaged a year he got notice to quit, to leave house and materials as had been agreed upon. He petitioned to stay a little longer, but his petition was refused. Thus ended all the Correction House the burgesses ever had. They began immediately to dispose of it and its materials. In 1661 the Guild met to bring the disposal to an issue, when it was recommended to use the timber of it in repairing the bridge. It was allowed to lie as it was till 1667, and when the Guild were removing the slates and timber from the roof they were interrupted by the garrison, who threatened to shoot them if they did not desist. Without following further details, we may note that the Guild tried to sell the house, but failed. In 1681 it was taken down, and the materials used for repair of the bridge. On its site, which was granted by the Guild free of expense, in the next century the Vicarage was built, in which the Vicars resided till the present residence was provided for them.

But in regard to the Graingeburn Mill and the Burrs and Claywalls, a change perfectly unaccountable came over the Guild. It was determined to retain them in their own hands and use them as their own, notwithstanding the deeds before

recited, and which could not have been entirely forgotten in less than nineteen years. There was no rent of these premises entered in the Treasurer's account for several years after the arrangements were made. They had been, in fact, paid to the churchwardens, who, of course, assumed the management of their own property. The Corporation, however, soon considered this as a usurpation of their privileges, and insisted that they had a right to manage them in the same manner as their own possessions. In 1672 they accordingly relet the Graingeburn Mill to their tenant for a year at the old rent. The former lease of the Burrs was also continued by the Corporation to the present tenant upon conditions laid down in Guild. In 1681 the same ground was let for £4 5s., and the Guild ordered 50s. of this to be given to the poor, and the remainder to be disposed of as the Guild should think fit. The Corporation during this time disposed of the profits of the Claywalls, which, of course, was included in the above deeds. The Burrs continued to be let as above for a certain rent, varying from £4 5s. to £8 6s., 50s. of such rent being paid to the churchwardens for the poor, from 1672 to 1698. In this latter year it was appropriated entirely to themselves by taking it as pasture-lands for the town's bulls. Part of it, previous to this time, had been divided into meadows for burgesses, and now they were to get these meadows elsewhere, and the whole taken as pasture-land. Thus they continued to manage the Burrs and Claywalls, and appropriate all the profits of them; and thus they managed the Graingeburn Mill property, but generally paying over its rent to the churchwardens till the year 1819, when the treasurer retained it in his own hands. In 1821 a demand was made for it in the Guild. He mentioned then, for the first time, that he had £120 of the rent in his hands. The Town Clerk and he suggested that the Recorder's opinion should be asked before it was paid over. After Mr. Hopper Williamson's opinion was read, along with that of Sergeant Hullock, the Treasurer was ordered to pay the money over to the churchwardens.

In the meantime the solicitors for the parish, who, during their investigations in the above case, had their suspicions excited that other lands belonged to the parish, took opinion of counsel upon the subject; and the churchwardens and overseers of the poor called a meeting of ratepayers, to take their opinion upon the propriety of commencing legal proceedings for the recovery of their property. This meeting was held on February 20th, 1823, and authorized the churchwardens to make a written application for the restoration. The Guild, previous to this, had appointed a committee to investigate the Guild books to ascertain the facts. The labours of that committee resulted in this extraordinary report: 'That the ground now called the Burrs formed no part of the lands conveyed to the parish by the deed of

May 28th, 1653; but that, on the contrary, the parish had for a long period received the rents of lands belonging to the Corporation beyond what they were legally entitled to by that deed, and were indebted to the Corporation in a considerable sum.' This committee laid a case before Mr. Sugden, and the Guild, in 1824, ordered that, in consequence of his opinion, the rents of Graingeburn Mill should not be retained. But the Guild still retained the rent of the Burrs. In 1825 an information was filed by the Attorney-General, at the instance of John Langhorn and John Clay, of Berwick, against the Corporation in the Court of Chancery, for the purpose of having the deeds of May 28th, 1653, declared valid conveyances. The suit was entered upon, but it was not till 1828 that a decree was given in favour of the pursuers. In 1831 a subpœna for payment of costs amounting to £379 19s. 3d. was laid before the Guild and ordered to be paid; and an order for £175 6s. 6d. to be paid as eight years' rent of the Burrs. In 1833 £216 13s. 6d. was paid to the parish solicitors as the balance due; and, by general agreement, 12 acres were allowed to be the proper quantity of land attached to the Burrs, and an extent of 12 acres was accordingly set off in the Lowhaughs as an equivalent to the parish authorities. The part of the land called the 'Claywalls' neither appears in the suit nor in the settlement. 11 acres 22 perches of Graingeburn Mill were given in 1856 to the Corporation in exchange for 5 acres 1 rood of land which was taken to form the new cemetery on the Edinburgh Road.

Mortoft's Charity.

In or about the year 1629, Valentine Mortoft, of London, Esq., offered to give £100 to the Corporation upon condition that they divided a perpetual annuity of £8 among the poor of the Burgh. This sum was afterwards augmented to £120, and the annuity to £10 a year. Sir William Muschamp was appointed by him to complete the bargain, and get proper security for performance of the engagement on the part of the Corporation. The security was at length arranged to be as follows:

'To secure the punctual payment of £10 to ten poor people for ever, by granting an annuity of that amount chargeable upon the estate called Cocklaw.'

Mr. Mortoft accordingly caused deeds to be prepared and engrossed to that effect at his own expense, and forwarded them to Berwick. The Private Guild, on June 15th, 1631, ordered that they should be forthwith executed, and the Corporate seal affixed thereto, and that the £8 at first (£10 afterwards) per annum should afterwards yearly issue and be paid forth of the rent of the pasture called Cocklaw; and, also, that a power of attorney should be given to the Town

Clerk in order to give the Trustees possession of the premises. The deeds were accordingly executed on the following day. The indenture was drawn between the Corporation, of the one part, and Valentine Mortoft, of London, Esq., Sir William Muschamp, Bart., Barmoor, Sir Robert Jackson, Knight, Henry Shaftoe, Andrew Moor, William Gregson, Stephen Jackson, Edward Moor, William Fenwick, and John Saltonstall, of Berwick, of the other part. It determined that the amount of £8 (afterwards £10) should be paid out of the rent-charge of Cocklaw, bounding upon a parcel of land called the Ewebriggs, on the north, upon Nether Mordington and Edrington, both in the kingdom of Scotland, on the west, and the river Whiteadder on the south, and the grounds commonly called Baldersbury on the east. The ground consisted of 60 acres, and its rent was £25.

In another indenture between Valentine Mortoft and the Trustees appointed for carrying out his intentions, the proper recipients of his bounty were defined to be: Poor aged natives of the Burgh of Berwick, and not elsewhere, ten poor men or women, *or ten poor people of both sexes*, of the age of 60 (or 55 in a second deed) and upwards, and such as then should be, or have been, labourers or poor tradesmen, and decayed in trade through losses and casualties and bad debtors; or such as had become poor, lame, infirm, and impotent, or that they could not work, having been, and then being, of honest and pious conversation, not addicted to swearing, blaspheming, profaning of the Lord's Day, or any other great or notorious crimes. Each of the ten persons so chosen to be paid 4s. (5s. latterly) quarterly by the Trustees as long as none of the ten misbehave, or become dissolute, or of evil government and disorder; if any misbehaviour occurs, then another to be chosen in the place of the one removed and displaced. It was further provided that if any kindred of the said Mortoft are at any time qualified for this charity, they are to be preferred; but not more than four of such kindred to be upon the roll at one time. When the Trustees should, at any time, be reduced to four, the survivors should convey the said rent-charge to six other persons, as co-trustees with themselves. Trustees continued for a number of years to be appointed in terms of the trust-deeds, but latterly this has fallen into disuse, and the Mayor for the time being chooses the persons now qualified for such charity. The £10 annuity has been regularly paid and distributed for 256 years; that is, the Corporation has paid £2,560 for the £120 given by Mortoft, and spent at the time in paying off some petty debt!

Tweedy's Charity.

From the will of Roger Tweedy, of Stepney, in the county of Middlesex, dated June 25th, 1652, we learn that he gave and bequeathed unto the town of Berwick, to and for the use of the poor of that parish, in honour of God and for His sake, so much money as would purchase lands and tenements for ever, of the yearly value of £5 4s.—that is to say, 2s. every Lord's day throughout the year—to be invested in bread to be distributed amongst twelve of the poorest people of the same town, in the church after morning sermon, by the care and good discretion of the churchwardens or overseers of the poor of the same parish for the time being. He directed that the minister and churchwardens, with the whole vestry and overseers for the poor, should, from time to time, be feoffees in trust to see the same performed. Accordingly they gave security to his executors that the rent of the said lands and tenements should be employed for no other use than as aforesaid. He further directed that his children's children from age to age should make inquiry, either by themselves or their assigns, once every year whether the said sum of £5 4s. was distributed according to his last will and testament, and finding it either to cease or to be misemployed, that then his will was that the said sum of £5 4s. should come into the hands of two of the nearest of his blood, to be distributed by them according to his last will and testament. Captain Tweedy died soon after this, and his executors paid £100 to the Corporation, on the same kind of security as Mortoft, on the rent-charge, originally, of Nunslees; but by statute 6 and 7 Vic., c. 23, sec. 19, 20, the charge was transferred to all the Corporation's lands.

Tweedy's Charity of £5 4s., expended in the manner prescribed, continued to be doled out for many years; but at some uncertain period the sum was increased to £6 1s. 4d., thus giving fourteen loaves instead of twelve for every Sunday; and thus it continues to this day to be distributed by the churchwardens.

Short's Charity.

On April 20th, 1600, Thomas Short, of Berwick, gentleman, for the purpose of carrying into effect the wishes of his late son, Augustus Short, as expressed in his last will, by indenture of that date, made between himself, of the one part, and the Corporation and the two preachers of the Word of God there, of the other part, conveyed unto the said Corporation and preachers and their successors for ever his burgage and garden in Berwick, to hold unto them and their successors for the time being for ever, to the only use, behoof, and free dwelling of the four poor widows who then occupied the burgage during their lives, and after their decease

to the use of other four poor widows of Berwick from time to time, to be chosen so often as death should make vacant one place as best should stand with the godly consideration of the said Mayor, etc.

On the 2nd of June this conveyance, along with three other deeds relating to the property (all of which are extant), was deposited in the town chest, and in the entry in the Guild Book the charity is described as an 'hospital' made from Thomas Short to the town. These houses were repaired at the expense of the Corporation after this time. In 1602, 6s. was paid for timber for the widows' houses. In 1609, the repairs cost 8s. 2d., which sum was paid by the Corporation. No further account of this charity occurs till 1658, when John Watson and Mary Park petitioned to have the almshouse, in which Widow Brown lived, for the terms of their natural lives. In 1668 and 1670 the Treasurer received 10s. for the almshouse yard, and from 1677 to 1686 he received 6s. 8d. each year. William Dawson, in 1679, offered to purchase the almshouses situate near the Palace, but his offer was not accepted. It is probable that they were sold in 1687, for the Treasurer no longer received any rent for them. Their very site is forgotten; everything about them has passed into oblivion.

Charity School, Ravensdowne.

By deed-poll bearing date September 10th, 1756, executed by James Bolton, reciting that by indenture, enrolled in the Parchment Records of Berwick, bearing date April 24th, 1725, John Bolton, in consideration of £105, granted to the said James Bolton, his heirs, and assigns, a burgage or tenement, stable, and garden, with appurtenances, on the west side of a street in Berwick called Rotten Row; and that by indentures of lease and re-lease, bearing date 9th and 10th of February, 1736, Ann Unthank and Thomas Bowring, for the consideration therein mentioned, conveyed to the use of the said James Bolton, his heirs, etc., another messuage, burgage, or tenement and garden, with appurtenances, in the same street; the said James Bolton declared that the moneys, in the said recited indentures mentioned, were the proper moneys of the Trustees of the Charity School in Berwick, and were advanced by them, the rents and profits thereof to be applied in clothing and educating such poor children as they thought proper—such children to be brought up in the communion of the Church of England; and the said James Bolton covenanted, for himself and his heirs, to convey the said premises according to the direction of the said Trustees, and reciting that he had the securities therein particularly described for several sums of money, amounting on the whole to £310. He further declared that the several sums so secured to him were the proper moneys

of the Trustees of the said Charity School. The following are the legacies which have been given towards the endowment of this school:

'John Brown, on March 20, 1758, left £100 to the Trustees of the Charity School, to place the same and apply the interest towards the educating and clothing of poor children in the said Charity School.

'James Bolton, May 31, 1758, left to the Trustees of the Charity School £800 for the purposes of that school as above recited. Provided that when the Trustees should be reduced to three, the survivors should within two months elect others to make up the number to seven (the Vicar of Berwick always to be one).

'Richard Cowle, who died at Dantzick, left May 21, 1819, to the Charity School of his native place, £1,000 three per cent. consols, which, after expenses were paid, amounted to £880 13s. 5d.

'Nicholas Brown, in 1766, left £91 2s. 3d., two-tenths of his personal estate, to this school. In 1794 there were £1,600, and in the following year £1,500 three per cent. consols purchased, and £500 three per cent. reduced annuities and £400 four per cent. annuities. To these sums additions have been made. In 1816, £600 four per cent. annuities were purchased with £482 5s., of which sum £450 was received in respect of a legacy of £500 left by Ralph Patterson, surgeon.

'In 1823, £1,000 three per cent. consols were transferred to the Trustees in respect of Cowle's legacy, £119 6s. 7d. being added to make up £1,000.

'William Grieve, in 1828, gave a legacy of £100, of which £90 came to the Trustees, after legacy duty, etc., had been paid.'

The income of the charity after this time was £154 10s. per annum, derived principally from the dividends of the stock above mentioned, and a small sum raised by annual subscriptions, amounting in 1828 to £10.

'The scholars in 1828 were taught reading, writing, and accounts. The national system is not used, but the Trustees have frequently urged the expediency of adopting it in order to extend the benefit of education to a greater number of children; but in that case it would be necessary to enlarge the school, and it has been thought that the £90 derived from Mr. Grieve's legacy might be well applied to that purpose.

'The following is a summary of the disbursements for three years:

	1826-7.	1827-8.	1828-9.
	£ s. d.	£ s. d.	£ s. d.
Clothing	87 17 9	90 7 6½	88 0 8½
Master's salary	50 0 0	50 0 0	50 0 0
Books and stationery	17 9 8	16 3 10	15 15 1
Repairs	3 11 4½	1 7 6	1 14 6
Sundries	4 19 5½	2 10 0½	3 7 5
	£163 18 3	£160 8 11	£158 17 8½
Balance from last year		35 1 5½	8 19 10
Mr. Grieve's legacy in bank		90 0 0	0 0 0
Total*		£285 10 4½	£167 17 6½'

The National system has since been adopted. The school is now conducted

* The whole of above statement is from the Report of the Charity Commissioners in 1829.

as an ordinary National day-school for boys. The following are the Trustees for the year 1887: Rev. Canon Baldwin (Chairman), Stephen Sanderson, David Logan, Captain Forbes, R.N., A. R. Lowrey, W. L. Miller, A. Tower Robertson, Colonel Forster.

Brown's Charity.

John Brown, March 20, 1758, left to Trustees £1,000, to be placed out on Government or other securities, and to dispose of the interest to and amongst ten poor men and ten poor women, inhabitants of Berwick, and Protestants, in equal proportions, share and share alike, the said poor men and women to be appointed by the said Trustees and their successors within one month after any vacancy should occur by death, and the said payments to be made quarterly. Trustees were required to be five in number, and their places to be filled up as vacancies occurred through death, by the survivors. The Trustees, in 1830, were Rev. Joseph Barnes, William Riddle, John Wilson, Vaughan Forster, James Forster.

In the year 1792 the sum of £1,000 was invested in the security of the Tolls of the turnpike road from Cornhill and Milfield at 5 per cent. interest. £50 was thus distributed annually among twenty, giving each 12s. 6d. quarterly. No one receiving parochial relief can be a recipient of this charity. When the Tolls were abolished, the Charity only realized £43 12s. per cent., the total amount being but £436. Sarah Foreman's Charity was similarly invested, and was equally reduced on realization. £560 sold out at £43 12s., and amounted to £244 3s. 2d. These two Charities are now amalgamated under a new Scheme, dated 1858. The new Trustees are Edward Willoby, A. R. Lowrey, Alexander Robertson, David Logan, Thomas Darling. The only clause of interest in the new Scheme relates 'that the Trustees shall be at liberty when, and as vacancies shall occur amongst the recipients, to reduce the total number of recipients from 15 of each sex to 10 of each sex.' This is very necessary, for in the Schedule of the new Scheme the income, instead of being as it was at first, above £75, is now stated to be derived from £430 1s. 9d. in the consolidated three per cent. annuities, and £240 16s. 11d. in the same funds, giving a total of £20 3s. 6d. to be distributed among 20 poor people.

Sarah Foreman's Charity.

Sarah Foreman, by will, dated November 3, 1803, gave to Burnett Roger Grieve, the Rev. Wm. Rumney, and three others, £400, then secured by the Mayor and Corporation of Berwick, upon trust to call in the same, and to invest

it in the public funds, if they should think fit so to dispose of it, and to dispose of the interest accruing therefrom to five poor men and five poor women, Protestants, and inhabitants of Berwick, at their discretion, in equal proportions; such poor persons to be nominated by the Trustees or the major part of them. If a vacancy occurred, the Trustees were to name another recipient within a month, and none receiving Brown's Charity were to be partakers of this. The Trustees were to be five in number, and when reduced to three, the survivors to choose and make up the number. The money in 1824 amounted to £560, which was lent in three bonds to the Trustees of the Ford and Lowick turnpike roads—one for £400, one for £100, and a third for £60—at 5 per cent. The bonds are stated to have been (1835) in the hands of William Greive, Esq. The interest amounted to £28, which was divided as the will directed, and any one receiving parochial relief was disqualified.—See Brown's Charity for its future history.

Cowle's Charity.

Richard Cowle, of Dantzick, left by his will, dated May 21, 1819, £17,000 in the three per cent. consols. Of this he bequeathed £1,000 to the Charity School and £1,000 to the Poor House, in the same place. As stated previously, £1,000 only realized £880 13s. 5d., which sum was transferred into the names of Walter Rowland, Thomas Lough, John Langhorn, and John Wilson, who were the churchwardens at the time. It was agreed that the stock should be sold and invested in the turnpike security at 5 per cent., and it was sold in April, 1824, for £844 0s. 9d. The interest was regularly paid to the overseers, and carried to their account. For the regulation of this charity a new scheme was issued by authority of the Charity Commissioners in 1869:

'The Trustees, in future, to be the vicar and the churchwardens for the time being of the parish of Berwick, the Mayor and Sheriff of Berwick, all in right and during the tenure of their respective offices.

'The funds shall be realized as soon as possible, and in the best terms that can be obtained, and the proceeds shall be paid to the consolidated three per cent. annuities in trust for the charity. The income of the charity shall be applied to the benefit of the most deserving and necessitous inhabitants of the parish of Berwick-upon-Tweed. The recipients shall be elected by the Trustees, who shall provide them with such clothes, bedding, fuel, medical or other aid in sickness, food or other articles in kind, or with pecuniary aid in special cases, as shall be considered by the Trustees to be most advantageous to them, and that directly, only aiding the funds of any provident or friendly associations to which they shall belong, or any public institutions of which respectively it shall be the object to provide them with like benefits. Or the Trustees may at their discretion apply a reasonable portion of the income in aiding the poor of the said parish and chapelry to educate their children by contributing to the maintenance of any school or schools adapted for the education of such children, in which there shall be no rule or practice to exclude children on account of their religious tenets.'

The income derivable from £801 in the three per cents. gives £24. This Charity has escaped the ruin that has overtaken Brown's and Foreman's.

Watson's Charity.

By indentures of lease and re-lease, bearing date 9 and 10 March, 1729, between Joseph Watson and Sarah, his wife, of the first part; John Scott and James Nealson of the second part; John Somerville and John Turner of the third part, and George Redpath and Thomas Balderston of the fourth part, certain lands within the bounds of Berwick-upon-Tweed, called New Waterhaugh and Fairney Flat, except a house thereon lately built and an orchard and garden thereto belonging, were settled to the use of the said Joseph Watson for life, with remainder to his first and other sons in entail, provided that the yearly rent of £10 should, after the decease of the said Joseph Watson, be paid by half-yearly payments at the feasts of Pentecost and Martinmas out of the said premises to the said George Redpath and Thomas Balderston and their heirs in trust, to be by them divided equally between the two dissenting ministers of the two Presbyterian congregations in Berwick for the time being, and that the like yearly rent of £10 should be paid to the same parties and their heirs on Lammas Day, upon trust that they should yearly, on the first of August, distribute the same among twenty poor widows being housekeepers and inhabitants of Berwick, to be named by the two Presbyterian ministers aforesaid for the time being.* A power of distress was given in case of non-payment. In 1824, the sum of £10 was paid by Mr. Clement Pattison, on account of the purchaser of the estate above mentioned to the Rev. James Reed Brown, minister of the Scotch Church, commonly called the High Meeting House, and the like sum to the Rev. John Crambe in the Low Meeting House. The sum of £5 was retained by each of the ministers, and £5 was distributed among ten poor widows, whom they selected out of their own congregations.

There is only one church representing these two at the present time, so that the whole of the above sum will be due to the one church and the one minister.

Askew's Charity.

Hugh Bertram Askew, of Palinsburn, on April 15, 1868, bequeathed £500 in the name of the Vicar of Berwick as Trustee, to be invested in consols, and the

* The preceding is taken from an abstract of title submitted to counsel on behalf of Ralph Gilroy, of Gainslaw House, who had entered into an agreement for the purchase of the said estate, August 21, 1824.

dividends to be used in purchasing bread for poor people attending the church. Ten poor men and ten poor women are recipients of this charity.

Weatherburn's Charity.

William Weatherburn, who died February 5, 1870, by will bequeathed £1,000 to the Vicar, Mayor, Sheriff, and Treasurer of Berwick, for the time being, as Trustees, to invest in Government stock or other perpetual annuity. The interest or annuity was to be divided among fifteen aged, sober, poor, respectable widows of Freemen of the Corporation of Berwick, and resident in the town of Berwick. The Trustees had to pay £100 of legacy duty, which left them £900, which was invested in the 3 per cent. consols. This charity produces about £28 a year, giving each recipient about £2.

Grammar School.

THE materials for showing in what state education was in Berwick in ancient times, are extremely scanty. That, however, schools were kept in its monasteries at a very early period, is attested by the Kelso Chartulary. In the year 1279, in a controversy about the corn tithes, the Sub-Prior and Sacristan of Coldingham was conjoined with the 'Rector Scolarum' of South Berwyc. The fact that schools existed at an early period here is likewise shown from the Lanercost 'Chronicle,' in which we read of the vision the scholars saw when they were hastening with their books to the schools in Berwick. About the middle of the thirteenth century the result of the education of the citizens is shown in the ability displayed in drawing up the 'Statutæ Gildæ,' the original of which is as good Latinity as was then written. During the succeeding century various Latin and Norman French letters, petitions and other documents, which were sent from the inhabitants to the Kings of England and their principal officers of State, are equally creditable to these writers; and when we come down to the reigns of Henry VII., Henry VIII. and Elizabeth, we find the composition of the orders of Guild a much nearer approach to the pure English of that day than probably could be elsewhere met with in the North of England. Scotticisms and examples of the provincial words then used in the adjoining county of Northumberland are seldom met with.* Nor is it unworthy of remark that the handwriting of the Guild Books throughout the period adverted to, and during some time afterward, is almost invariably neat and legible, sometimes elegant.†

The idea of starting a Grammar School belonged to Sir William Selby, Knight

* Weddell's MSS. † *Ibid.*

burgess of Berwick. There was a talk of such a school being needed in Elizabeth's time, but beyond a few stray notices of schools and schoolmasters already referred to, nothing definite occurs in that century. From the Visitation Books at Durham, it appears that in 1577 there were three schools in Berwick ; but at the accession of James I. of England there were only two, and their masters were Aristotle Knowsley and John Parke. The premises of the first Grammar School grounds and master's dwelling-house (which is now part of the property connected with the Corporation Academy) were situated on the south of St. Mary Gate, and extended from the front street to the Bank Hill. In the early part of Henry VIII.'s reign it belonged to Ralph Colvill, of Tweedmouth, who disposed of it to John Pearson, of Berwick, clerk. By Pearson it was sold in 1549 to Robert Story, a soldier in the garrison, and in 1562, in Elizabeth's survey, Story was still in possession ; but Thomas Pearson, a son of John's, assuming to be the real owner, sold and conveyed it to John Selby in 1564. Story still maintained his right, and in November, 1566, another deed from Pearson to Selby was executed to give Selby possession ; but by a jury Story and his wife were found entitled to hold the premises during their joint lives, and the life of the survivor. Selby was then to enter into possession upon paying £10 to Story's heirs or assigns. Whether Selby ever got possession does not appear, but the property descended on his death, in 1595, to his younger brother, Sir William Selby, Knight, usually designated 'the elder,' to distinguish him from his nephew, Sir William Selby, 'the younger.' Both were burgesses of Berwick, and served respectively as Members of Parliament for the Burgh. Sir William Selby, the elder, died in January, 1611-12, at the advanced age of 80 years. By his will dated 19th May, 1610, and in which he describes himself as 'Sir William Selby, the elder, of the Moat, in the parish of Igtham, in the county of Kent,' he bequeathed to the Mayor and bailiffs of Berwick, 'all that my messuage, or tenement with garden, orchards, backsides, and other appurtenances situated in Mary Gate, to be used as a Free School for ever.'* Although thus devised, this tenement was not given to the Corporation for fifty years at least, but for what reason, there is no account. Soon after the death of Sir William Selby many of the burgesses entered into securities for payment of subscriptions promised to assist in starting a Free School. We hear no more of the above ; for, about three years afterwards (1620), the burgesses, as a Corporation, determined in a very liberal manner (!) to appropriate annually £30 out of the corporate funds towards the erection of a Free School, a resolution which was not fully carried into effect. The

* The will was proved in the Prerogative Court of Canterbury by his executors, February 5th, 1611-12.

Guild contemplated at this time to devise so much of the farm of Cocklaw on lease for forty years as would bring a revenue of £30 for the establishing of a Grammar School. But this scheme failed. In the meantime, so far had this resolution gone, that the Common Council of thirty had prematurely engaged an usher and brought him to Berwick, where he remained for some time. The funds were not forthcoming to maintain him, and the Guild were reluctantly obliged to dismiss him. Francis Turner had been thus engaged, but on leaving they presented him with £20. A few months after this the burgesses appeared to have nearly despaired of carrying into effect their long-cherished project. Several subscribers had paid in their moneys to the treasurer, which money (£159 10s.) was again lent out at interest to burgesses, but in the Head Guild, held after Michaelmas, it was ordered that the sums be paid back to the contributors within a month, with a proviso that these moneys should be forthcoming if the school was started within five years. The school was not begun in time, and all these subscriptions were forfeited. During the next fifteen years no mention is made of the school in the Guild Books ; but in a deed executed by George Morton, of Morton, in the county of Durham, there was bequeathed a burgage for the erection of a Free School if it was begun within five years ; this legacy was again forfeited from the same cause. Thomas Parkinson bequeathed by his will, dated 13th December, 1619, £20 for the erecting of a Free School or the purchase of a Parsonage for the town, provided the rest of the Guild do concur in such a good work. A liberal offer of £100 was made by a gentleman in London, if they would start a Grammar School, and the Guild offered £120 to aid in the undertaking. This latter sum had been given by Valentine Mortoft towards founding a charity in Berwick. Whether the £100 was ever paid does not appear, but Mortoft's money began to be squandered ; £20 was applied towards payment of a debt due by the Corporation. The school was not yet started, but a temporary arrangement was come to, by which the education of children in the Latin language should be given gratis. This was done by a Guild at the Christmas of 1633. Upon the petition of Mr. John Jackson * that he shall have liberty to keep a Latin School in this place, and to teach children, and for that he proffers to teach the children of burgesses gratis, therefore, the Guild is content he shall have yearly paid him £10, by 50s. a quarter, forth of the Town Chamber. He seems to have begun his work on the 6th day of February, 1634. The next year Sir Robert Jackson and others went to London to procure licence for a Free School. On his return he brought promises from various individuals of

* This was a member of the Jackson family, a cousin of Sir Robert's, a burgess, who died in 1645.

subscriptions to aid in starting the said school. But no further notice of the intention to found a Grammar School occurs for eleven years. The only indication during this long period that the Guild were not altogether asleep in school matters was a petition to his Majesty to use the Store-house in the Palace as a place for the school and the schoolmaster's house. The Guild were again opposed in this scheme by Gilbert Durie, the vicar, and by Douglas (Lord Mordington). These gentlemen thought if the Store-house was sold by them for the Government, since the Guild would not repair it, money enough would be obtained to buy the lease of the tithes from Rosden, and the income from the tithes might be given to increase Durie's salary, so as to make it equal to that of the Mercers' Lecturer in the town; the scheme was abortive on both sides. It was not till 1645 that the Guild entered upon the prosecution of the scheme with zeal and perseverance. On the 3rd October, 1645, several leading members of Guild promised large sums to bring the scheme into operation at once. John Jackson had died in the previous month, and now the total want of a school may have caused the Guild to have become more active than ever they had been; they immediately set on foot a subscription paper. The following is a list of the principal donors:

Sir Robert Jackson promised £10 a year for ever towards a Free School.

	£	s.	d.		£	s.	d.
John Sleigh	20	0	0	Stephen Jackson	5	0	0
William Fenwick	20	0	0	John Ingram	6	13	4
William Orde	50	0	0	Robert Dodsworth	10	0	0
Robert Morton	6	0	0	John Greenhead	5	0	0
Luke Orde	20	0	0	George Smith	5	0	0
Benjamin Clarke	6	0	0	Andrew Moore	10	0	0
William Rosden	10	0	0	George Forster	6	0	0
Thomas Temple	6	0	0	J. Foxton	5	0	0
George Temple	5	0	0	Ralph Salkeld	10	0	0
Richard Selby	5	0	0	Four others each	4	0	0
Thomas Foxton	10	0	0	One gave	3	10	0
William Smith	5	0	0	Fourteen others each	3	0	0
John Forside	5	0	0	Twenty-four gave each	2	0	0
Robert Balsome	5	0	0	Two gave each	2	10	0
Andrew Crispe	10	0	0	One gave	2	6	8
Robert Turvin	8	0	0	Nine contributed	1	10	0
Elias Pratt	6	13	4	Eighty-three gave each	1	0	0

Sir William Selby gave £10 per annum 'as long as it please God I live.'

This shows a total of £473 3s. 4d., exclusive of annuities, and the contributions extended over a period from 1646 to 1652. The total number of contributors was 187, of whom 178 were burgesses and 9 non-burgesses; so that taking into account the total number who had been on the roll, 105 did not

contribute anything, but a number of these were non-resident. The total amount of subscriptions, inclusive of the annuities, would be about £800; and as money was at 8 per cent. interest, here was a clear income of over £60 at the command of the Corporation. This is, of course, without reckoning the subscriptions that were given in subsequent years, or without the value of the subscriptions received in London and elsewhere. On the 15th January, 1646, Sir R. Jackson, to redeem his pledge to give a donation of £10 for ever,

'Bequeathed towards the payment of the master and usher of the said school one-third part of that, my moiety of the tithe corn of Cheswick, in the County Palatine of Durham, with all profits and advantages whatsoever to the same belonging to the Master, Governor and Treasurer of the said school for the time being and their successors for ever to receive and take the profits of the said third part of the moiety of the said tithe to the uses aforesaid.'

Sir Robert* died shortly after making his will, and was buried at Berwick,

* The Jackson family were old residenters in Berwick, and had become wealthy by trading. Thomas Jackson, the first mentioned, was treasurer of Berwick in 1545, and Mayor in 1548, 1552, 1563, 1567. He was owner of several houses in the town. He died about 1575.—Sir Robert's father was Robert, a son or nephew of Thomas. He was made free in 1564, but not of the staple until he paid a fine of 40s. In addition to his trade as a staple merchant, he was largely concerned in salmon fisheries and dealt extensively in corn. In 1576 he was Mayor of the town, and was largely engaged after this in Corporation affairs at London and elsewhere. Disfranchised in 1597 for bringing a cargo of corn from Leith which was infested with the plague, he was re-admitted at the intercession of the Governor and Council during the next year. He died about 1603.—Sir Robert, his son, was admitted in 1595 to his freedom on paying five marks, and next year was made Bailiff. He was knighted by King James in 1615 or 1616. He was much employed in the town's affairs at London, especially in negotiating for money to build the bridge. In Elizabeth's reign he was Collector of Customs in Berwick for some time. He was Mayor five times and was M.P. in five successive Parliaments. Sir Robert had an only child, Mary, who married 1st Sir Pelham Carey and 2nd George Paylor, Esq., by neither of whom did she leave any issue. Upon Sir Pelham he conferred his estates of Broomhouse and Holborn by will, and on George Paylor his estates of Fenham and Morton, all in Northumberland or County Palatine of Durham. His corn tithes of Beal and Lowlinn, both in the latter county, he bequeathed to Thomas Bradforth, his nephew, on condition he paid £500 for them. One third part of his Cheswick tithes he gave to John Sleigh, who married a niece, and the remaining third part to his sister, Mrs. Jane Davenport, widow, for life, with remainder to John Sleigh. He gave legacies of £5 each to the sons of his brother Stephen, of Hazzelridge, to two daughters and two sons of his brother Thomas, to the four children of his sister Anne Turvin, to the six children of his brother John Jackson, preacher, and to five children of his cousin John Jackson, late schoolmaster. He also gave £40 to his niece Margaret Salkeld, of Bassenden. Among other legacies he gave a piece of silver plate with his initials engraven thereon to his beloved friend Robert Balsome, preacher of the Word in Berwick, and another piece of silver plate of the value of four marks to Mr. William Strother, then preacher in Berwick, and his scarlet gown to Stephen Jackson, of Berwick. He likewise left £50 towards erecting a House of Correction in Berwick if done in three years, if not then to some other pious use at the discretion of his executors. Lady Mary died in 1645. Sir Pelham Carey was third son of Henry Baron Hunsdon, son of Henry Carey, Lord Hunsdon, Queen Elizabeth's cousin. Sir Pelham was called after his mother, who was a daughter of Sir Thomas Pelham, Bart. Pelham died about 1642.

January 29th, 1646. The Corporation now pursued the matter with great assiduity. The annual salary for a master was fixed at £60, out of which he was to pay for an usher approved of by the town. He was to be allowed, in addition, 'the benefit of country gentlemen's children, and of such as are not burgesses in this town, and had not contributed.' This order seems to imply that all children of those who had contributed, whether freemen or not, were to be taught gratis. No house had yet been obtained for a school, but an uninhabited house in the churchyard, which was then in dispute as to ownership, was considered convenient, and forthwith it was repaired at the town's expense, the right owner to allow for the charges what was thought reasonable. Means were then taken to procure a teacher, and while this was being done, they set about collecting all subscriptions possible; and so sure were the authorities at this time that the money would be more than amply sufficient for their purpose, they desired that the overplus should be devoted to the erecting of a House of Correction, towards which Jackson had left £50. One Paterson had applied for the office of master, but his offer was refused until they had heard from their friends in London, and, in addition to the salary, they now offered such accommodation in the fields as private burgesses had. The negotiations about the house in the churchyard failed, for Thomas Morton and others were appointed 'to select the convenientest places in the town for the Free School intended for the burgh.'

A new order about the teacher's appointment was now made:

'1. That the master shall only teach the principles of religion, and humane learning in Latin, Greek and Hebrew. 2. That he shall have the choice of his own usher. 3. That there shall be a convenient house provided for himself and family, and that the outer aisle of the church shall for the present be made use of for a school, and Jemima Rotherham's house at the churchyard is thought fit for a house for the master. 4. His salary shall be half-yearly, and secured to him under the town seal.'

At the same Guild it was ordered that a master should be procured to teach English, Reading, Writing, and Arithmetic to the children of burgesses, at a salary of £10 a year. Within a few weeks after this, on the 30th of September, William Webb, the first master of the Grammar School, arrived in Berwick, and began his work on October 5th. He was a stern Puritan, which suited the tastes of the majority of the burgesses at that time. John Jemmat stated his character very sententiously in a letter to the Guild, dated August 19th, 1646:

'Trulie might I have had the libertie to have chosen out of all the Schollers that I know, a schoolmaster for my beloved Berwick, this whom God now sendeth, Mr. William Webb, is the man I should have chosen. Of small stature indeed, but of great worth in my experience. He is very skilful both in the Latine, Greeke and Hebrue, very diligent and painfull about them. He andertaketh to teach, sober, single hearted, humble, godly, prayersome.'

The Guild were very thankful for so able a man, and thus acknowledged the efforts of one of their friends in obtaining him:

'Truly we must needs take it as an argument of God's extraordinary love to this place in providing us with such an able man; we shall endeavour to give him all the encouragement and accommodation may be. Sir, we are not able to express our loves unto you, and cannot but return hearty thanks for your affection to us in this place.'

On Webb arriving in Berwick, the Private Guild, taking into consideration the great pains he had taken in coming to Berwick as their schoolmaster, as likewise the charges he had been at since his coming from London, ordered that his salary should commence as from August 1st preceding, and should be paid to him quarterly after this time. He engaged, as an usher, Francis Crowe. There was considerable reluctance on the part of many of the burgesses to pay their promised subscriptions, for they thought it was an English school that was to be started; but those refusing to pay were forthwith to be committed to prison until they had paid the same without excuse or delay. Burgesses, after this, on taking up the freedom, were bound to pay £1 to the Grammar School. This was raised, in 1776, to 30s., which was the sum long paid. It is, perhaps, not quite correct to say that the subscription was raised to this amount. It will be remembered that each burgess on admission gave two leather buckets, to be kept in the Tolbooth, for the purpose of extinguishing fire. These buckets, at first delivered in kind, were afterwards paid for at a fixed price—3s. 4d., or 6s. 8d. for two; 3s. 4d. was likewise taken from every burgess towards repairing the Quay at the Maison Dieu. These two sums make up 10s., which, added to £1, made up the 30s. afterwards exacted. Fire-engines were now provided for the town's use, and the Quay was repaired from other sources of income.

It seems £127 was paid in subscriptions in 1647, and burgesses were still pressed for payment. Then John Sleigh obtained £200 of school money on loan, on mortgaging to the Corporation his share of the Cheswick tithes, left to him by Jackson's will. From this two-thirds of the moiety, or one-third of the tithes, they derived 8 per cent. for their money; still Webb's salary at first was very irregularly paid; three months after his second half year's salary was due it was ordered to be paid. Then he secured the town's seal to be affixed to a deed as guarantee of punctual payment, and at the same time, the Church being found very cold in winter-time, he was accommodated with the 'convenientest rooms in the Governor's House' for a Free School and Master's House. After this he thanked the Guild for their loves towards him, and promised to stay as long in town as he could, and added nothing would remove him if a godly minister such as Mr.

Balsome were stationed here. Mr. Webb very strangely left Berwick soon after this, and did not return for some length of time. Crowe, the usher, was asked to continue the work amongst them. But Crowe soon left for a more lucrative position; and, as there were no signs of Webb's returning, the Guild engaged Gilbert Durie, the High Church Vicar, who had meanwhile returned to town. The Scotch Royalist Garrison was then in town, and may have induced Durie to come back. After two years' absence, Webb returned to his duties in 1649. What had caused his departure had evidently been the want of a minister of his particular persuasion. He left on Jemmat's departure, and returned when Oxenbridge was about to come here. On his return great difficulty was still experienced in the payment of his salary. The rent of Cheswick tithes this year was £9, and £16 was the rent from Mr. Sleigh's part. These sums, together with £14 9s. 6d., were paid to Webb for his half-year's salary. Eight pounds were expended in making a partition in Mr. Webb's part of the Governor's House, for making up the Usher's Chamber, and 'for lime, hair, nails and plasterers, glaziers and carpenters work for that and for making a house or office in the Garden.' Webb, on settling down at this time in Berwick, began to be engaged in public business to a large extent as well as in teaching. He drew up various petitions to individuals on behalf of the Guild, wrote many of their letters, became a member of the Private Guild, which he frequently attended, and was sent many times on business to London, etc. In fact, he became a very important and useful member of the Guild. Oxenbridge and he were both enfranchised in 1651. During this year, if not previously, the Grammar School was removed to the premises bequeathed by Sir William Selby. There was a movement set on foot in 1655 by Oxenbridge, who had left Berwick some time before this, to remove Webb to another situation. But Mr. Webb quieted their fears by saying that 'to the glory of God he had much comfort in the increase of his labours here, and being much pressed by the Guild to stay, he declared freely he would stay, and hoped to lay his bones amongst them, to the great comfort of the Guild, who returned him most hearty thanks.' It would be difficult to say how many pupils were in attendance during the early years of the school. The burgesses only numbered at this time about 180 altogether; but that the scholars were numerous, there is no reason to doubt. On the 17th December, 1657, application was made for an enlarged schoolroom in these terms:

'This day Mr. Webb declared that by reason of the multitude of his scholars and the closeness of his present school-house, which wanted air, the same would be very unhealthful to the scholars, for that in the summer time he was forced to teach sometimes at the door; he, therefore, desired that a larger school-house should be built at the lower end of the garden.'

Again he says: 'There are so many boys, they are like to be stifled.' The Private Guild determined upon building, and ordered an erection to be put up suitable to the necessities of the case. The walls were ready for the roof in eight months, and it was ordered to be covered with slates. A Bailiff was ordered to proceed to Dundee to buy 'Sclaytes' for the School-house. £25 was allowed for covering the house, and it was ready at the stipulated time. The whole erection was paid out of the forfeitures of this period. Till 1660, Webb's salary was punctually paid, but, on the Restoration the forfeited lands being returned to their owners, the town again experienced difficulty in meeting the payment of Webb's salary. The tenant of the Corporation's 'New Farm' was ordered to pay the rent of £40 to Webb, and one of their other tenants was ordered to pay £20.

In 1666 the Corporation gained undisturbed possession of the house devised by Sir William Selby. Webb had occupied the house for some time, but under protest and considerable difficulty. What the difficulty was may be partly seen in the following digest of the case. Shortly after Selby's will was proved, a suit was entered in the law court of Berwick, the plaintiffs being the Mayor and Corporation, the defendant Sir Ralph Selby, heir of Sir William Selby the younger. The *judges* in the Court were identical with the *plaintiffs*, who pleaded the bequest as set forth in Sir William's will. The defendant pleaded the insufficiency of their title, or if that is complete, then he pleaded that his mother heired it and sold it to him under proper title-deeds. But Sir Ralph never produced the conveyance. The title of the Corporation, on the other hand, was not quite unimpeachable, for no conveyance from Sir John Selby to his son Sir William had been found. Judgment was given in 1645, that the defendant had no right or title to the property and must be dispossessed. But there was no action taken on this judgment; for, in two years, this Sir Ralph's widow, Lady Selby, was to be spoken to about the tenement in dispute. She refused to give possession. The opinion of the Recorder was then asked, but this has not been preserved. A letter was then written to William Strother, of Kirknewton and Grindon Rigg, touching this messuage. Strother was a lineal descendant from Sir R. Selby, and was supposed to have had influence with her, but this letter had no effect. The Guild now commenced a suit in Chancery for recovery, and got possession before 1648, and kept a tenant in it for retaining the town's right. Thirteen years afterwards, when Lady Selby was dead, her daughter Mary renewed the claim, and was assisted in this by Lord Widdrington, Governor of the Garrison, and Captain Edward Widdrington and Colonel William Strother, of Kirknewton. She married, shortly after this, Captain Walters of the Garrison, which may explain why the

garrison took an interest in her success. The garrison tried to eject the possessors, but the legal result of this suit is not known. The Guild met on July 16th, 1662, to inquire into a great riot that had taken place on the previous Sabbath in Webb's house for his ejectment by Mrs. Mary Selby and soldiers of the garrison. Letters were sent to the members of Parliament, the Recorder, Rushworth, and Collingwood. The riotous crew were ejected, by what means or when is not known. William Strother, of Grindon Rigg, and Arthur Grey, entered a suit in the Law Court of Berwick for recovery, but this was cast out, for there was no fair plea of possession put forward. Then Mr. Strother alone entered the Court against the Guild, and the whole was ended by the Guild paying £80 to the heir male;* and Webb remained after this in possession. Affairs passed quietly on for a few years, till in 1669, when Webb was getting old, and 'loved a peaceable life,' he resigned his situation, for he had been insulted by one of the garrison. Mr. Young, now usher, drew up a statement of the case, and the Guild ordered a letter to be sent to Widdrington, the Governor; but, before it was despatched, an apology was sent to Webb from the garrison, and the affair quashed. Webb continued to fill the office till his death, which took place very early in October, 1673, after 27 years' faithful service. It is said he served the office with credit to himself, and to the perfect satisfaction of the town, who loved to call him their 'ever honoured Schoolmaster.'† He was married twice; by his first wife he had one daughter, and it is supposed his only child, who was married to Robert Watson. His second wife was Anne, widow of Thomas Foxton, of Berwick. He owned the estate of Swinhoe, and left it to his daughter subject to a rent-charge of £40 to his widow, who lived till 1686. This estate passed to the Earl of Lisburne through the Watsons.

On October 6th, 1673, the Guild appointed Nicholas Wrissel, the Non-conformist Lecturer, to succeed Mr. Webb. Wrissel had been deprived of his Lectureship on the Restoration, and he remained in obscurity for eleven years. He was then appointed as above; but the Dean and Chapter of Durham, led on by Dr. Cartwright, insisted upon his removal from teaching, as his holding office was contrary to law, and he laid down the rod in January, 1674. The Guild made an attempt to obtain another master, but for some inexplicable reason Wrissel was again appointed, and held the office as long as Charles II. reigned. This is not mentioned in the Guild's transactions, but only inferred from the accounts. Wrissel was paid £60 in 1677; and a receipt for a quarter's salary in 1683, in his

* The money was really paid to Captain Walters.

† A number of students from Berwick are registered as entering Magdalen College, Cambridge, in 1654, shortly after Webb entered on his duties.—'Fifth Report of the Royal Commission on Historical Manuscripts.'

own handwriting, is still in existence. On James's accession to the throne a new appointment was made.

Sometime before this, in 1678, the Guild had come into possession of the Coldmartin Estate, bequeathed to them as follows. The Strothers of Kirknewton were from an early period also possessors of Langton, or Lanton. This estate descended to a junior branch of the family, and prior to the year 1619 belonged to Clement Strother, grandfather of William Strother, the Fishborne Lecturer. He then resided there; and by deed dated the 14th of August in that year, in which he describes himself as of Langton, in the county of Northumberland, gentleman, 'in consideration of a marriage then about to be celebrated between William Strother, his eldest son, by his wife Ann (that is, the William who was Town Clerk), and Judith Palmer, daughter-in-law of William Morton, Berwick, burgess, and for the natural love and affection which he bore to him, and for a jointure to his said intended wife, conveyed to the said William Morton and Edward Turner as Trustees his messuage or farmhold, situate in Coldmartin, to the use of the said William Strother and Judith Palmer and the longer liver of them and the heirs of their two bodies, and, on failure of such issue, to the use of his own right heirs.' William Strother, the Lecturer, succeeded his father as the owner of Coldmartin. He conveyed to his widowed mother the whole of his estate of Coldmartin, and afterwards gave her a moiety of it in fee-simple. By his will he confirmed both these gifts, and then proceeded: 'I do hereby bequeath for and towards the maintenance of the Grammar School now in Berwick, from and after my said mother's decease, one full fourth part of that my said messuage, tenement, and lands, lying and being within the town and fields of Coldmartin, in the County of Northumberland, to the Mayor, Bailiffs and burgesses of Berwick-upon-Tweed, and their assigns and successors, for ever.' His mother afterwards married John Sleigh, of Berwick, but survived him. She devised her moiety of Coldmartin to Joseph Rosden, and, when she died in 1678, the trustees of the Grammar School succeeded to the full fourth part of Coldmartin as devised by her son. Early in the next year the estate was put into their hands, and thenceforward they drew the rent of it. This addition to the resources of the Grammar School added little at first, but after a century's occupation the rent realized about £100.

In 1680, the Corporation was due the Mayor, Mr. John Sleigh, £100. To pay this off, they mortgaged the Cheswick tithes to him for seven years, which amounted to £148, thus paying interest as well as capital out of purely Grammar School revenue. On Wrissel's second dismissal he was now forced to leave the town, for he, along with Gilbert Rule and Ogle, was sought for by the authorities. No

very diligent search would be made for him, however, as John Luck was Mayor, a gentleman of strongly Puritan tendencies, and who had helped one minister, at least, before this, to escape. Hearing that the Governor was in search of William Veitch, and that an application would be made to two Justices of the Peace for a warrant, the Mayor artfully contrived to get the only other justice who was then within the burgh to leave the town; when the Governor and officers came to him for a warrant, 'Oh,' says he, 'by all means,' and calling his boy, 'Run,' says he, 'for these two justices, and bring them hither quickly.' The boy, after a space returning, told the Governor they were both out of town, and would not be in till to-morrow. 'Well,' says the Mayor to the Governor, 'you know I can give you no warrant till they come, and you, having doubled the guards, can secure them till then.' Luck, in the course of the night, assisted Veitch to escape from the town by water. Veitch fled to Luke Ogle's house in Bowsden, the ousted minister of Berwick, who laughed heartily at the story.* William Salkeld succeeded to the office of teacher, and the following item appears in the accounts of this year: '2s. 4d. spent with the schoolmaster the night he came to town.' The Free School and School House were made air-tight and water-tight, and the water emptied out of the cellar at a cost of £30. Coldmartin was let for five years at the small rent of £5 a year. The first year's rent was spent in repairs. Salkeld, appointed by the Common Council, who ruled the town after the death of Charles II. in 1685, was continued till 1689, when the Guild got rid of him; and not being able at once to obtain a suitable successor, they appointed temporarily Mr. Andrew Jackson, a burgess, to carry on the work. Jackson, at a salary of £30 a year, carried on the work till his death in the early part of the year 1690, when he was succeeded by two burgesses—viz., John Scott and James Nealson, and the salary of each was fixed at £20 per annum. This salary, in 1696, was raised to the usual amount of £60, which was £30 to each. At this time it was not an unusual thing for the Guild to grant liberty to non-burgesses' children to be taught gratis. In 1693, Mr. Fair, the apothecary, got this liberty for his family 'for the good he was to the town,' and the children of Patrick Robertson, the Vicar, were taught on the same terms. In 1698, Wrissel's widow, who had married James Burnett, of Stockwell, gentleman, applied to the Guild for payment of £10 still due to Wrissel for his salary. His daughter, Dorothy, was living in Berwick now and in great poverty, and the Guild determined, at Mrs. Burnett's request, to dole out this £10 to Dorothy at the rate of 1s. per week, thus spreading the payment over four years. About 1708, the Grammar School required again to be

* McCrie's 'Life of Veitch,' pp. 126-130.

enlarged, and the town, having no means to effect the same, the members of the Guild, led by Mr. Robert Watson, determined to do this themselves. After some hesitation and examination, this was done. Scott* and Nealson both continued in office till 1714, when they were threatened with prosecution, if they did not cease the work. Evidently the old rule of licence was to be enforced by the Bishop of Durham, for both teachers were Protestant dissenters. In 1715—whether Nealson had before this time complied with the Bishop's request is uncertain—he was appointed sole master of the Grammar School at a salary of £60 per annum. What caused Scott's retirement is not known. He did not dissatisfy the town, for he was frequently employed afterwards on important public occasions. Nealson now taught by himself for thirteen years, when, in 1727, he took his son Ephraim to help him, a youth of eighteen years of age. He was examined, and found fully qualified for the work.

Besides money paid to the Grammar School, the Guild were paying to Mr. Jackson, writing-master, £20; to Mr. Cockburn, mathematical master, £25; and to Mr. Willit, for teaching singing, £10; so that altogether the money paid by the Corporation for education was £115, about one-tenth part of the total income of the town.

James Nealson continued master for the long period of 57 years. He died in 1748 at the age of 77, and was succeeded by his son Ephraim as sole master, after he had assisted his father for 21 years. He held the head office for only two years, and on his resignation the Guild advertised for a successor in the Newcastle, Glasgow, and Edinburgh papers, and asked a number of ministers and others to examine the candidates; and he, who had a majority of votes of the examiners, was to be appointed master. Mr. Joseph Rumney was chosen, to receive a salary of £60 a year for teaching freemen's children, and 10s. per quarter for non-freemen's. He was to provide an usher out of his salary at not less than £20 per annum. Mr. Ephraim Nealson's books were left in the Grammar School, and were now delivered to Mr. Rumney to be kept for the use of the school. They consisted of 12 vols. (10 folio, 2 quarto) of classical works. These have long since

* He was son of Mark Scott, Town Clerk. Mark was owner, by purchase from William, Lord Mordington, of Sanson Seal (Sonce and Seal) and Yellow Gowland, to which properties John Scott succeeded at his father's death. In 1732 he mortgaged it for £250, and in 1740 for £300 more. He died in 1742. One of his daughters and co-heiresses married Robert Menteith, of Longformacus, a clergyman, whose son became, if I am not mistaken, first clergyman of Chapel Street Church, and got stints in the fields in 1756, along with Goldie and Murray, two other Dissenting ministers. The estates were afterwards sold to James Burnett, of Gray's Inn, London, and afterwards of Berwick.

disappeared, although a deal floor was laid in the 'stoody' of the Latin School, and proper shelves with folding doors, to keep them.

The Guild had attempted to repair the Grammar School house, but found it so much out of repair that they determined to build a new one, 'in the cheapest and best manner possible.' This house was finished in 1754, when it was examined and certified by the Guild as properly built according to plan and estimate.

After a good deal of trouble, the law plea over the Coldmartin estate was brought to a termination favourable to the Corporation, in 1783. Since they entered into possession, the whole of the estate was farmed as one large farm, and the one-fourth of the moiety of the rent was given to the Guild, but at this time the Corporation's part was settled and separated by decision of the Court of Chancery, and the Guild had now 47a. 1r. 34p. set off as their own proper share, which was let separately. Before it was let, it was enclosed with dykes, which were considered preferable to hedges, and cost £15 more. Rumney continued in office during the rest of the century, and was Vicar as well for many years. The double duty did not seem well performed; the result was disastrous to the school, for, after the determination to build an Academy in 1798, we are told that 'the Guild will build it on the Grammar School grounds, for it can do little harm, the scholars are so few.' In 1801, Rumney resigned, after a term of fifty-one years. He was succeeded by Joseph Barnes, at a salary of £60 and a dwelling-house. Barnes was examined before admission by Rumney, Joseph Walker, William Stow Lundie, John Kelloch, and James Smith, the two latter being ministers of the High and Low Meeting Houses, by all of whom he was cordially recommended. After being in office for four years, Barnes was taken to task for officiating as Vicar and afternoon Lecturer, and was compelled to resign his charge, which he did at Lammas, 1806. The Guild, thereupon, appointed a committee to advise what salary should be allowed to his successor. They found that the income of the school then consisted of Coldmartin, let at the annual rent of £100, and the Cheswick Tithes,* now let at £49, so that, when necessary deductions were made, a surplus of £130 per annum would remain, which must be applied to the use and support of the school, and to no other use or purpose whatsoever. They also recommended that the salary should, at least, be £60, if not £80, and the remainder of the revenue should be allowed to accumulate to form a fund for repairs or for the rebuilding of the premises. As these revenues were only vested in the Corporation in trust for the school, it was necessary that a separate account should be kept for the receipts and application

* The two-thirds mortgaged for the debt of £200 in 1647 came permanently into the town's possession in 1663.

thereof. The new master was not to be allowed to officiate as a clergyman, and he was to teach non-freemen's children for a fee, and freemen's were to be admitted gratis. The Guild fixed the salary at £80, and appointed Guy Gardiner to the office on May 7th, 1806. In 1815 the dwelling-house was put in proper repair, a new front of ashlar stone was added, and other repairs were executed at a cost of £250. Then a new Grammar School began to be thought of, and, eventually, a new building was begun in 1819 and finished in 1820, at a cost of £400. This was the building used by the Grammar School till 1866, when the school was removed to its present premises. The old Grammar School is now used for an Infant School attached to the Academy. A question arose about 1820 concerning the Guild's liberty to build their Academy on the ground of another trust without compensation. To clear themselves of this odium, the Guild bought George Oswald's premises on the west of the Grammar School, and conveyed to that trust as much land as they had taken for the building of the Academy. In 1837 it was settled by valuation that a rent of £1 10s. for each of the thirty-one years they had occupied the ground should be paid, and £49 10s. was accordingly handed over to the treasurer of the funds of the Grammar School.

In September, 1829, the Parliamentary Commissioners for inquiry into the public charities visited Berwick and made inquiries into this charity. The treasurer informed them very meagrely about the state of the whole charity, and excused himself by saying (which was true enough) that the books of the Corporation were then in Chancery in the Burrs' suit. In their report they stated that the accounts had never been kept separate till 1805, that part of the premises had been taken by the Corporation, that the yearly income was £158 10s., and the outlay £110 10s., leaving £48 for paying off the debt incurred in rebuilding.

Mr. Gardiner continued to hold office till 1848,* after a service of forty-two years, and the Council were arranging to make a new appointment when they discovered they had no longer any power. The management of the school under the Municipal Corporation Act passed entirely into the hands of Trustees, appointed under a scheme drawn up by one of the masters of the Court of Chancery, and put in force in 1852, which was acted upon till the year 1863, when the Charity Commissioners obtained the power over all such trusts, and drew up another scheme, which continued in force until 1880, when the same commissioners framed a third scheme, under which it is now governed. Burgesses' sons

* Thus, with a brief interval of four years, three teachers had covered the period from 1691 to 1848—a term of 157 years. Since Gardiner's time to the present—thirty-nine years—there have been eight successive masters.

were taught gratis as long as the management remained in the power of the Guild; under this last scheme they pay two-thirds of the fee of non-freemen's children.

I append an abstract of the account for the last year, 1886:

Income.	£	s.	d.
Rent from Coldmartin	65	0	0
Share of Corn Tithes	55	9	5
From Freemen	9	0	0
From Fees	197	5	7
	£326	15	0
Balance against the Fund	40	5	4
	£367	0	4

Expenditure.	£	s.	d.
Clerk's Fee, Rates and Taxes	38	0	6
Instalment of Debt and Property Tax	33	11	7
Interest on account current	6	1	6
Salaries	274	5	0
Incidental Expenses	15	1	9
	£367	0	4

The Corporation's Academy.

The history of the Academy is simple enough. When the Grammar School was founded, a number of those who contributed to its support grumbled that only classics were taught in it. Very soon afterwards, a writing-school was started, at which children could be taught writing for a small fee, while the master was paid £10 or £20 at the town's charges. This writing-school continued till it was merged into the Academy. As time went on, other schools were begun, to supply the necessities of the town; Reading, Mathematical, English, and English grammar schools. Five different schools were in existence when the Academy was built. Previous to this being done, these schools were located in different parts of the town, in low and dingy rooms. In 1798 the Guild determined to build an Academy on part of the ground belonging to the Grammar School, because there were so few scholars at this school, and because they thought that the ground would be better occupied as a school than as a mere recreation and pleasure ground. The Academy was built in these years, and finished in 1800. It has continued since in the same premises. Each master at first was subordinated to the Guild alone; but, about forty years ago, a rector, or head-master, was appointed with the same functions as in other schools; and this form of government has been continued to the present day.

In addition to several private schools, the following are the public schools in Berwick:

The Boys' National School, Ravensdowne.
The Girls' National School, Parade.
The Infants' National School, Parade.
British Schools for Boys and Girls, Palace Green.
Berwick Infant School, College Place.
St. Mary's National School, Castle Gate.

History of the Bridges.

IN the year 1199 there happened, in England and on its borders, an extraordinary inundation of waters, which carried away bridges, mills, and houses; among the rest, the Bridge of Berwick. Earl Patrick, a Governor of the town, having, in obedience to the King's orders, set about rebuilding it, was forbidden by Philip, Bishop of Durham, to make it terminate on his land. But no bridge could be built unless it terminated on land belonging to the Bishop, as it had formerly done. At last, by the advice of William de Stuteville, the Bishop suffered the work to be carried on. No further notice of the bridge occurs for eighty years. Burton, in his 'History of Scotland,' says there is notice of a bridge across the Tweed at Berwick so early as the year 1271 (if what is written above be true, he must have overlooked that reference). He continues, in a foot-note:* In that year, Adam de Bedford was beheaded in England, for having associated with pirates in Scotland, at the north end of the Bridge of Berwick;† and adds that the 'Scala Chronica' mentions, about ten years (twenty?) later, the destruction of the bridge from the swelling of the river. But from the 'Chronicon de Lanercost' we learn that this inundation happened in 1294. After the Feast of St. Peter de Vincula (August 1st) there happened a sudden but monstrous inunation of waters (a Lammas Flood) of the Scottish river called Teviot. For suddenly, without great rains, the waters, coming from the Teviot, increased so as to rise above the bridges and overhanging rocks, carrying away the mill under the Castle of Roxburgh and other obstacles. The Berwick bridge was broken, and the tower thrown down. The piers of stone

* Burton's 'History of Scotland,' vol. ii., p. 95.

† He was captured in the company of sea robbers in Berwick, on the north part of the bridge, in the kingdom of Scotland, and beheaded as a robber. He was son of Richard and Isabella of Bedford.—Bain's 'Calendar of Documents relating to Scotland,' 1272 A.D.

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were also prostrated, and many people crossing at the time were carried away into the sea. It is rather remarkable that piers of stone are mentioned in this bridge at so early a date. Where the bridge fell at this time, there it lay for many years. The only method of crossing was by ferry-boats, worked, as we shall see, from both sides of the river; while the ferry, in times of danger, was defended by soldiers. Thus, in Sir Robert Heron's (the Controller) 'Book of Bills' for 1310, there is allowed one half-quarter of pease to each of six crossbowmen (one of them being John Sharp Arewe) guarding the ferry of the Tweed at Berwick.* More of this ferry we learn from a little history found in the Scotch Rolls for the year 1334:

'The King to the Chancellor, June 15, 1334.—In the time of the Kings Alexander and John of Scotland the bridge over the Tweed was entire, and there was no other passage; but in the latter part of John's reign† the said Bridge was destroyed and broken, and the only means of crossing was by a boat. When the town came into the hands of Edward I., Anthony, the Bishop of Durham, caused a certain boat to be made for the passage from Tweedmouth to Berwick; and Edward I. caused another boat to be made to cross from Berwick to Tweedmouth, and from that time obtained and possessed that passage. In the vacancy of the Bishopric, caused by Anthony's death, Edward I. gave the profits of the crossing both ways to John Hayward. But when Edward II. restored the temporalities of the See, then Bishop Kellaw got the north-going passage, and was succeeded in the possession by Bishop Lewes, until Robert de Bruce dispossessed him, and now the present bishop, Richard de Bury, claims the passage. We (Edward III.) command you restore the passage and all profits since Sept. 7th‡ last past to the same bishop without delay.'

Hayward continued to hold the south-going passage during his life.

From a lengthened order in the Scotch Rolls for 1337, it appears that many of the inhabitants had demised entire rents of some houses, and partial rents of others, and the rents of some fisheries, for the maintenance of the bridge. When there was no bridge, the King ordered that the rents and fisheries given for this purpose, and taken into his hand, be restored to the Mayor and community of Berwick, that they may be preserved for the construction of a new bridge. The order was directed to Thomas de Burgh, Chancellor of Berwick, in these words: 'Because we have received by inquisition by our beloved and faithful Anthony de Lucy, Keeper of our Town, and Justiciary of Laudonia, that Elias de Wales, formerly burgess of the town, gave in fee, for the sustentation of the bridge at Berwick, 17s. 9d. of annual rent, arising from a certain tenement in Soutergate, which is in our hands by forfeiture of Ferinus Gley; and that the same Elias gave, for the maintenance of the bridge, 8s. 9d. of annual rent arising from another certain tenement in the same street, which is in our hands through forfeiture of

* Bain's 'Calendar of Scotch Documents,' January 19th, 1310. † 1294 A.D., *ut supra.*

‡ Date when the temporalities were conferred upon the Bishop.

Robert Nesbyt.'—and so on the order proceeds through sixty-three such details, enumerating fourteen streets and sixty-one houses in these streets. It names two fisheries whose rents have been gifted for this purpose. The rents, arising from the whole, amount to £28 16s. per annum (this is correspondingly a much larger sum than is now allowed for the present bridge). After these particulars are given, the order declares that the Mayor and community of Berwick have received all these rents from the falling of the bridge until 1333; but from that year they have been paid into the exchequer at Berwick. The Chamberlain was now requested to repay all these rents to the Mayor, etc., and to take security from them for these moneys, and to place the security in the exchequer. This order was fully carried out. In 1338 the Chamberlain was ordered to renew the security, and to do so annually from successive Mayors. In 1340 the Mayor and his friends were allowed to trade with the money, that they may account for both interest and principal; but under the same security as before. In 1347 the King learned that the Mayor and community were at last determined to begin the construction of the bridge. He then ordered the rents to be collected by the Mayor, and then, he hints, he will be altogether relieved of the burden. At the same time, the King granted the Mayor, etc., the sum of 6d. on every ship entering the harbour, to help to raise money for the construction of the bridge. Still the bridge was not constructed for another eight years. In 1355 the King 'understands that the Mayor and bailiffs of said town, who have dwelt in it from the 20th year of his reign, have raised and received divers sums of money for rents belonging to Berwick bridge, and that they have detained such money among themselves. We wish to be informed what sums of money the Mayor and bailiffs have raised and received for such rents, and in whose hands that money now is; and we order you to examine the said Mayor, etc., and discover what sums of money they have so raised. These moneys you must keep till we further demand an account of them. You must now certify us under whose seal you now place the moneys.'

The ferry from Berwick to Tweedmouth remained in the hands of the King until 1337, when, in consequence of a petition to Edward III., Richard Bernard had the ferry granted to him, as the heir to his uncle Hayward; and the Chancellor was commanded to do what was necessary to assure the profits of the ferry to Bernard. This grant was repeated several times, and especially after the conquest of Berwick by the Scots in 1355-56, and re-conquest by Edward III. Bernard was very anxious to prove that the whole ferry had been granted to Hayward, his uncle, and that the Bishops had nothing to do with it. But it does not appear that Bernard was successful in this; and the last item of intelligence we hear of

the bridge in this century is that a suit was entered upon on November 13th, 1376, between Thomas de Hatfield, then Bishop of Durham, and Walter Tyrel, who succeeded Bernard as possessor of the ferry. We have not been able to ascertain the result of this suit. The whole matter passes out of sight. We hear no more of bridges till the beginning of the sixteenth century.

We do not know when that bridge was built. We know that no bridge existed from 1294 to 1376; but eventually a wooden one must have been erected across the Tweed. The fact of there being a decayed bridge in 1513 shows that it must have been built about the end of the fifteenth century. During Henry VIII.'s reign, and the remainder of the century, large sums were required to keep it in repair.

From the history of the bridge previous to the reign of James I., it would appear that it was then the property of the Crown, and that the whole of it, except the abutments on the Tweedmouth bank of the river, was within the burgh of Berwick;* although this is not in accordance with the maxim of the law both of England and Scotland, that the 'filum aquæ' is the boundary between the two kingdoms. Whether the bridge did or did not pass under the grant of James I. to the Corporation, certain it is that for a considerable period prior to, and for a few years after, his accession to the English throne, the cost of keeping it in repair was defrayed out of the Treasury of England.

On February 16th, 1607-8, James Burrell, Surveyor of his Majesty's works in Berwick, wrote to the Earl of Salisbury, giving an account of the fall of part of the bridge on the preceding day:

'Yesternight, between 6 and 7 of the clock, the spate rose here and brought the ice so fast vpon the Bridge as tenn pillars and eleven bayes thereof being in the strength of the river was then thrust down and caryed away, of which I had ever a doubt and feare, as in my letter to your Lordship you may perceave. The rest of the bridge is in manie places so shaken as I expect no other but still the falls of some of them. All possible means I used to have prevented this. But the ice was with the furious and faste currant of the spate so forcibly caste against the bridge. And if it had bene new and strong as ever it was it had sure bene broken. In the fall their were three hundred volluntary men on the bridge more than hired workmen ready to have given their labores for the good of it, yett, blessed be God, not one person is loste or bodilly hurt.'

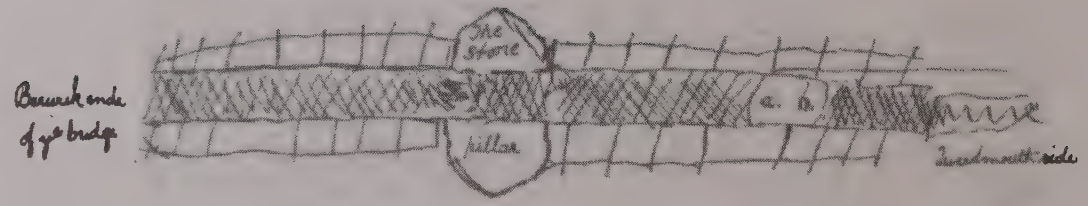
He likewise informed him that he had prepared a lighter to serve as a ferry-boat until the bridge was repaired, but suggested that it would be best to erect a stone bridge, as wooden bridges in such rivers were subject to rapid decay, and to liability to be thrown down, and as the expense of keeping them was enormous;

* The Weddell MSS. It was not so with the present bridge. The large recess in the middle of the bridge was the boundary between the burgh of Berwick and the County Palatine of Durham. Sods lay on the parapet of this recess to mark the division.

in proof of which he sent him a note of charges which had, in recent years, been laid out in repairing it. From the accompanying account it appears that during the six years ending in 1574 the amount was £4,004 15s. 9½d., thence till Elizabeth's death £958 9s. 8d., and during the first three years of the reign of James I., £404 9s. 9d.; total, £5,372 15s. 2½d.

At this period the only remaining church within the burgh was in a ruinous state. A few days after the fall of the bridge, the Mayor of Berwick communicated the misfortune to the Earl of Dunbar, who was then at the court of James I., and solicited his aid. His lordship in reply, dated Whitehall, February, 1607-8, informed the Mayor that he would cheerfully apply to the Privy Council for a grant of money towards building a new bridge, which he trusted would be of stone, and with respect to the proposed new church, he had already collected £1,000 towards its erection, and that he had also obtained briefs authorizing the agents of the Corporation to solicit donations throughout certain counties of England towards the relief of the poor people in Berwick who had recently suffered considerable losses by fire. His lordship accordingly applied for money to rebuild the bridge, and the result was that the King, by an indenture under the Great Seal, dated May 23rd, 1608, granted to James Bailey, burgess of Berwick, for new building a stone bridge there, the sum of £10,000 of debts due to the Crown between 1485 and 1600; and a moiety of £18,000 of other Crown debts due between 1485 and 1588, to hold unto and to the sole use of the said James Bailey and his assigns for and towards the building of the said stone bridge. In a subsequent writ under the privy seal, the King declared that, although the said grant had passed in the name of the said James Bailey, it was nevertheless granted upon the petition of the Earl of Dunbar, and that the moneys thereupon received for the most part were paid for the use of the said Earl for building the said bridge. On February 6th, 1610, the Guild sent a burgess to London to inquire respecting the balance of the Crown debts, and undertook that the expenses of the journey should be paid out of the Corporate purse; and that the said burgess was the bearer of a letter from William Bowyer, who was a justice of the peace for the said burgh, to the Earl of Salisbury, Lord Treasurer of England, dated February 6th, 1610, in which letter it was stated that the bridge had, with labour and cost, been defended that winter from ruin. Early next spring, George Nicholson, assistant surveyor to Burrell, sent to Salisbury an account of another fall in the bridge:

'Right honourable and very good lord, this night between 7 and 8 of ye clock a little after ye full tide, the 5 and 6 bayes, with the breach of the middle supporter (through rottenness) in the top of the 5th pillar made the planks and dormons slide and fall for the hindrance of passage with



J. HERRIOTT, Photographer.]

NICHOLSON'S SKETCH OF THE FALL IN THE BRIDGE.

[BERWICK.

horses, but not of foot,* the rails on both sides still standing. It is the 5th pillar from the stone pillar, or platform, from Berrick wards, towards Tweedmouth, and 26 yards from the stone pillar, and some 40 yards from low water mark, so easy to be amended as I hope it shall be by Mr. Mayor here with little charge made fit for passage against to-morrow night, that my Lord Chancellor may on Wednesday pass over it with his train.'

Nicholson adds a sketch of the bridge, a facsimile of which is reproduced as exactly as possible. It is thus apologised for: 'I presume to give yor L. a shaddow of ye fall in ye bridge, which I beseech you L. accept in good part, being don at night in haste. A and B is ye fall in ye bridge.'

To continue the history of the new stone bridge. It was arranged that James Bailey should surrender the grant from the Crown to be cancelled, and the Treasurer of the Exchequer ordered the Mayor, Bailiffs and burgesses to confer with the best workmen, and to return an estimate for construction of a new stone bridge. This estimate, which amounted to £8,462 8s. 4d., exclusive of the preparations already made and the moneys yet unpaid for provisions and workmanship, was sent to the Treasury accordingly. The Mayor and Corporation agreed that this money should be used without waste or deceit, and a just account rendered of it all. On May 21st, 1611, the King issued a writ under the privy seal to the Treasurer and Under-Treasurer of his Exchequer, that although he thought the estimate to be overmuch, and more than the expense of the work could rise to if it were circumspectly and warily guided and overseen, he ordered the Treasurer out of the Royal Treasury, on the receipt of his exchequer, to pay to the Mayor, etc., and their assigns for building the bridge according to the models produced, and timber out of the Royal Forest at Chopwell, the sum of £8,000 by instalments,—£2,000 for the works to be done that year, including £774 6s. 9d. already due for work done, and £1,000 yearly thereafter or more at the discretion of the Treasurer, until the whole £8,000 should be expended, and they were to be careful that the sum should not in any wise be exceeded.

Salisbury, on May 27th, 1611, established the following orders for the Mayor, Bailiffs and burgesses to be observed in dealing with the money advanced. They were to appoint at their own charge two burgesses to oversee the workmen and take charge of the working materials; to pay the workmen weekly in the presence of the Mayor and six other burgesses, and the King's paymaster at Berwick (all of whom were to sign the weekly books of payments); to allow 2s. 6d. a day to James Burrell, the master mason, for overseeing the work, and 16d. a day to a clerk to keep the books of payments. To comply with the above orders the Guild ordered that every burgess, who had been Mayor, should contribute 4s., every

* The foot could hang on to the rails and get over with a scramble.

Alderman 3s., every Bailiff 2s., and every common burgess 1s. per year towards the payment of such clerks as should be appointed for the bridge work. From the duplicate book of accounts we learn that in 1611 the Corporation received £2,000 from the Exchequer, and expended in that year £562 5s. 3½d., in addition to paying £774 11s. 9d., the balance due at the death of the Earl of Dunbar, which left a balance for the year 1612 of £663 2s. 11¾d. Regularly in the beginning of the year, from 1615 to 1620, the Guild sent one of their body to London at the Corporate expense to procure money at the Treasury to carry on the work. In the year 1618 the Guild obtained 100 tons of timber from the royal forest of Chopwell for building the bridge. The pillars of the bridge rest on oak piles obtained from this forest.

A grant of £4,000, in addition to the £8,000 formerly granted, was expressed in the King's writ of July 31st, 1618, to be for the full and absolute perfecting of the bridge in the said town of Berwick. The whole of the £4,000 was paid before the end of the year 1620. During the course of this year, after a report by the Bishop of Durham on the state and progress of the bridge, a contract was entered into between the King's commissioner and two workmen,* who undertook to finish the bridge for £1,750, besides an additional grant of wood from Chopwell Forest. At this period the old wooden bridge was in a passable state, but required considerable repairs; and the Guild ordered that a general assessment should be levied for the purpose of raising funds for repairing it, as it concerned the common good. About 300 of the inhabitants assembled and subscribed, in sums varying from 6d. to 10s., the amount required for repair, viz., £26. During the following winter part of this old bridge was swept away, and it was repaired by money raised as before, but the assessment was only to be a moiety of the previous year. In the autumn of 1621 the contract work of the new bridge was nearly finished; all the arches were thrown, and the 'fittings' otherwise well advanced, when, in October of this year,

'There came an extraordinary time of abundance of raine and stormes that made such floudes all through the north partes as the like thereof hath not been knowne in any man's memory, and the River of Tweed bringinge down with it a strange abundance of stacks of hay, corne, and timber bore down a great parte of the old timber bridge there; which, together with the violence of the waters and abundance of stuffe that came therewith falling upon the stone bridge, being yett greene and the lime not dried and knitt, and the centres of some of the arches beinge not stricken, but standing, overthrew all the workes done this year.'

This disaster paralyzed the work exceedingly, and dragged it out to a much longer period than it would otherwise have been. Prior to this, £12,000 had been received, and, on the 29th June following, the King granted £3,000 for re-edifying

* James Burrell, Surveyor, and Lancelot Branxton, master mason.

and finishing the same, and directed that the surplus should be used for the building of a church at Berwick. The money was paid by instalments, the last instalment being paid in 1624. The Guild now ordered that those who had not paid their assessments for the old bridge should be distrained to compel payment. In 1623 they repaired the bridge by the same general assessment. In 1624 the Corporation petitioned the King to give them the old wooden bridge, after the new bridge was erected, for the purpose of disposing of the materials and applying the purchase-money in repair of the harbour and wharf. After the year 1624 the moneys paid for the bridge building were very trifling; from March 26 to December 29, 1626, only £85 were expended, and from that date to April 25, 1628, £130. In 1629, £47; 1630, £37; 1631, nothing at all; 1632, £67; 1633, £13; and in 1634, £12. From all the above considerations it may be conclusively determined that the bridge was ready for traffic in 1624; the moneys expended after that date being merely sufficient to finish the parapet, or the approaches, or even for trifling necessary repairs. It is to be regretted that no account of its opening has been preserved.

The Archbishop of York, who, when Bishop of Durham, had been chiefly instrumental in procuring such large sums of money for the erection of the bridge, volunteered in 1633 to use his influence at Court to obtain an annual grant of money from the Crown to keep it in repair. The Corporation thereupon petitioned the King to allow them £50 a year for this purpose out of the pensions granted to the dissolved garrison of Berwick, when, by the death of the pensioners, the sums, no longer needed for their original purpose, should amount to this. This petition was presented to the King when in Berwick, and in the following year the prayer of it was granted. The Guild, in February, 1635, ordered Sir Robert Jackson as their surety, to proceed to London at the town's charges to pass the accounts for building the bridge. In 1636, Sir Robert passed his account in Guild, when it was admitted that he had received the sum of £45 2s. 9d. of bridge money, and had expended it all but £18 10s. 4½d., which it was ordered should be expended on the brandreths of the bridge. In the following year he was again sent to London to pass the bridge accounts, and solicit a grant of an annual allowance from the Crown to keep it in repair.

The building of the stone bridge, as before-mentioned, was commenced by the Corporation (some work had previously been done by the Earl of Dunbar) on June 20, 1611; it was opened about 1624, that is in thirteen years, and the accounts were settled up to October 24, 1634. On July 20, 1637, Sir Robert Jackson passed the accounts for the intervening twenty-three years and four months and

four days before the Lord High Treasurer and the Exchequer at Westminster. The account stands thus:

	£	s.	d.	£	s.	d.
Amount of the grant				15,000	0	0
Debts due at the death of the late Earl of Dunbar	774	11	9			
Wages and materials paid by the Corporation	13,622	1	9			
Five years' Salary to Sir W. Bowyer for overseeing the bridge while Mayor	100	0	0			
Allowed travelling expenses to London and back upwards of 23 years, for procuring the money, etc., and for office fees, by order of his Majesty	399	10	10			
Cost of repairs from 1634 to 1638	63	17	2	14,960	1	6
Balance to be applied to church building				£39	18	6

During the winter of 1645-6 a breach was made in the bridge, and an application was made to the Crown for money to repair it and the fortifications. In the following year the House of Commons granted the sum of £500 to the Corporation for this purpose, payable out of the fines levied upon Ogle and Swinhoe, the delinquents. The greater part of the £500 they never obtained, and the part recovered was not sufficient. They had received no benefit from the £50 grant from Charles I., on account of the disturbed state of the country, and hence they renewed their application for further assistance. In 1653 they petitioned successfully for the sequestered estates of Lord Mordington, and thus obtained money enough to enable them to put the bridge in proper repair; £120 a year was granted to keep it in the same state. This grant was regularly paid till the restoration of Charles II., when it entirely ceased. They had no resource left but to petition Charles II. for a grant to the bridge, such as his father had given, and they accordingly prepared the following petition:

'James I. had, out of his zeal for the public welfare of his people inhabiting on the borders of England and Scotland, that there might be at all times a safe passage from the former to the latter across the river Tweed, ordered that a stately and magnificent bridge of freestone should be built over that river at Berwick, which was not finished till the beginning of the reign of Charles I.; that this bridge, from its proximity to the German Ocean, was subject to rapid decay from the violent surges of the main sea beating it, and the furious course of the river during great floods; that for several years after the commencement of the Commonwealth the Corporation received nothing from the national revenue for repairing the bridge; and that they were too poor to keep it in repair, and hence it got into a very ruinous condition. To prevent its utter overthrow they were enforced to make application to the then ruling power for a supply of money for its repair, and procured a grant of £120 a year, out of the Estates of the late James Douglas, Lord Mordington, which had been sequestered in consequence of his adhering to Charles II., and which grant the Corporation restored to William, Lord Mordington, so that they were wholly destitute of any help for the repair of the bridge. They therefore prayed the King to grant such annual allowance for the repair thereof out of the customs of Berwick or some other public receipt as to his Majesty should seem meet.'

The petition on August 25 was referred to the Attorney and Solicitor Generals, who were directed to examine the facts and report what was fit to be done. They shortly afterwards inquired how the Corporation had spent the rents of the Magdalene fields, and they sent up an account of all the transactions, which were so far satisfactory. But they asked for confirmation of this account from some persons outside the town. The Justices of Northumberland were appealed to, and they confirmed the statement of the Guild, and added 'that the bridge had been greatly damnified by sea-storms and land-floods and stood in need of repair, which, if neglected, would cost great sums of money, and that the town of Berwick and the county adjacent were not able to repair the same.' Five years after this petition, letters were sent to the effect that Charles II. had granted an annuity to the Corporation of a sum of £100 out of the Customs of Berwick or Newcastle, or some other English port, if the two failed. This was granted to the Mayor and Corporation on security of the royalties of Tweedmouth and Spital, which had become of late years the property of the Corporation by purchase from the Earl of Suffolk. On the 17th September, the messenger who had been sent to London to negotiate this matter produced, at a General Guild, the King's letters patent and the conveyance, required by the Lord Treasurer, of the manor and lordship of Tweedmouth and Spital, to secure that his Majesty would be at no further charge about the repair of the bridge, and it was ordered that the common seal of the town should be affixed thereto, and that the deed should be delivered to the feoffees in trust for his Majesty's use ;* that £20 should be given to the messenger as a

* Copy of the Deed. 'Reciting that he (the King), considering the usefulness and nobleness of the structure of Berwick Bridge, which had been built by his grandfather, James I., and being informed how much it was out of repair and in danger; and being desirous that the same should be truly and substantially forthwith repaired and so constantly kept; did settle upon the Mayor, Bailiffs, and burgesses a constant revenue of £100 by the year, to commence from Lady Day last past, payable half-yearly out of the customs of his Majesty, his heirs and successors, arising in the port, town, or burgh of Berwick; and if at any time the customs should fail to make good the annual payment, that it should be paid out of the rest of his Majesty's customs in any part of his kingdom of England.

'Proviso, That the said Mayor, Bailiffs, and burgesses, and their successors should with all convenient speed, at their own proper costs and charges, well and sufficiently support and repair the said bridge and make good the then defects thereof, according to a survey thereof, as his Majesty, his heirs and successors had given, or should give commission to be had and taken within 12 months thereafter, and should from time to time for ever thereafter maintain, support, and keep the same in good and sufficient repair, and be and stand chargeable and charged therewith, without making any addresses or pretences whatsoever to his said Majesty, his heirs or successors, for any future repair thereof; and that all the money by such pension or annuity should be expended in or about the support and repair of the said bridge, and to no other use or purpose whatsoever, and that after the said Mayor, etc., should be reimbursed all moneys they should expend in a gross sum in the repair

reward for his trouble, and that a silver flaggon of the value of £20, with the burgh arms engraved thereon, should be presented to Mr. Collingwood, who had been the great instrument in procuring the grant. The obtaining of the letters patent cost £160, besides £20 for the silver can. Very little money up to the year 1671 was expended on the bridge. The announcement that the Earl of Ogle, the recently-appointed Governor of the garrison, intended to pay his first visit to Berwick in the spring of 1676, seemed to have spurred on the Corporation, as the Guild ordered that what was most needful in the repairs of the bridge should be done before his lordship's arrival. The annuity was, at first, paid by the Collector of Customs at the port of Berwick; but in 1684 it was charged upon the Customs of Newcastle. In the following year an application was made to the Crown for a new grant under the privy seal of James II., but whether successful or not is nowhere made evident. Shortly afterwards the Corporation received £600 from the Crown for six years' arrears up to Lady Day, 1684. The £600 was partly applied by the Common Council in payment of a debt due from the Corporation to their former treasurer, partly in procuring a new Charter from James II. The sum of £36 11s. was also to be abstracted from the trust-fund for the purchase of

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of the present then defects and ruins of the said bridge out of the said annuity, they and their successors should use all frugal ways and means to save and preserve the money from time to time arising by the said annuity, to be kept by them in bank as a stock, to be employed wholly in repair of future breaches and casualties that should or might happen or befall the same bridge, that so no casualty might be unsupplied or the bridge unrepaired at any time for want of money. And that they would within three months after the date thereof give further security to his Majesty, or such persons as should be by his Majesty or his High Treasurer of England on that behalf, nominated for the real performance of the premises both at the present and for the future by the Manor of Tweedmouth and Spital, which was affirmed to be of the yearly value of £100, by such conveyance and assurance thereof and in such manner as his Majesty's Attorney-General for the time being should direct or approve of.'

In pursuance of these letters patent Thomas, Earl of Southampton, Lord High Treasurer of England, nominated Charles, Earl of Carlisle, Sir William Forster, of Balmburgh, Knight, Daniel Collingwood, of Brunton, and William Strother, of Newton, all in the county of Northumberland Esquires, to be trustees in that behalf, and his Majesty's Attorney-General directed the conveyance to be made to them of the said manor and premises, to the intent that they should reconvey the same by another deed as a security for the real performance of his Majesty's pleasure in the said letters declared.

The conveyance from the Corporation was to the following effect:

'15 and 16 August, 1666.—Indentures of lease and release between the said Mayor, Bailiffs and burgesses, and Samuel Hartlipp, of the one part, and the said Charles, Earl of Carlisle, etc. *ut supra.* It is witnessed that the said Mayor, etc., and Samuel Hartlipp, for the consideration therein expressed, Did grant, release, and confirm unto the said Earl of Carlisle, etc., All the manor of Tweedmouth and Spital, with the appurtenances,' etc., etc. (This conveyance of lease and release continues in the usual formal language.)

new silver mace, to be carried before the Mayor of Berwick. The Council likewise determined that the overplus of the £200 due for the repair of the bridge should be expended in paying off debt. The General Guild in 1689, after the restoration of the Charter of James I., also ordered that the £100 then due should be applied in a similar manner.

In 1700, William III., by writ of Privy Seal, ordered that henceforth the annuity of £100 for the bridge should be payable at the Exchequer; and in the following year this was confirmed by his Majesty's letters patent. The Guild ordered that the £100 then due should be expended for the town's credit. The same order was repeated in the two following years. The Lord Treasurer of England, in December, 1713, having required to know from the Corporation to what uses the £100 yearly allowed for the reparation of the stone bridge had been appropriated, and how much there was in the bank, the Guild appointed a committee to inspect the treasurer's accounts relating to the bridge, and to lay the result of their examination before the Guild; and ordered that, in future, a particular account should be kept of the moneys to be thenceforth received on the account of the bridge and of the expense of repairs. The Guild books contain no answer to this inquiry; but the treasurer's accounts, as far as they have been preserved, show that they had been examined. From that period to the present the Corporation have received the £100 of yearly income, and have kept the bridge in repair. In 1855 the account of the bridge stood thus:

Income.	£	s.	d.	£	s.	d.
One years' allowance	100	0	0			
Less for stamps, etc. -	9	11	0			
				90	9	0
By balance - - - -				1,346	0	4
				£1,436	9	4

Expenditure.	£	s.	d.
To balance from last year - -	1,164	19	9
„ One year's interest of £1,000 -	40	0	0
„ Frances Lough, carpenter, for repairs - - - -	106	3	9
„ George Back, mason - -	120	12	0
„ „ „ forcement -	4	13	10
	£1,436	9	4

In 1886 the debt amounted to £1,382, but in 1887 this has been written off, and there is now a small balance in favour of the account.

The old bridge consists of fifteen arches, and measures 1,164 feet in length 'including the land stalls.' Its width is 17 feet between the parapet walls. At each of the fourteen pillars there is an outlet of the parapet on both sides. The sixth pillar divided Berwick from the county palatine of Durham.

ROYAL BORDER BRIDGE.

The Royal Border Bridge, which connects the railway from the South with the North British system, which terminates at the north end of the bridge, is an imposing structure of twenty-eight arches. Its length is 2,152 feet, and its extreme height, from the foundation to the roadway, is 138 feet 8 inches. The cost of the bridge and approaches amounted to £253,000. The foundation was laid on May 15, 1847, by Mrs. Bruce, wife of the resident engineer, G. B. Bruce, R.E. The first passenger train passed over the wooden viaduct erected temporarily to connect the line of rail from York and Edinburgh on October 15, 1848. The last arch of the stone bridge was keyed on March 26, 1850, and the bridge was opened for traffic by the Queen, on August 29, 1850. Hence it has been called the Royal Border Bridge. The bridge was designed by Robert Stephenson, son of the celebrated George Stephenson, the pioneer of railway enterprise.

The number of workmen, wages, etc., of the old and new bridges are shown from the following tabulated statement:

	OLD BRIDGE (1620).	ROYAL BORDER BRIDGE (1850).
Workmen	300	2,000
Master masons, per day	1s. 9d.	5s.
Masons	1s. 4d.	4s. to 5s.
Master carpenters	1s. 8d.	4s. 6d. to 5s.
Smiths	8d. to 1s.	3s. 6d. to 4s. 6d.
Labourers	4d. to 7d.	3s. to 4s.
„ per tide	2d.	3s. to 4s.
Shipwrights, sawyers, and boatwrights	8d. to 2s. 6d.	2s. 6d. to 4s. 6d.

HERRIOTT, Photographer,

History of the Tolls.

WE do not get much information about the nature of the small customs of early times. We may hastily sketch what slight notice there is in the Scotch Rolls, the only source of information. On March 14, 1376-7, Edward III. demised for ten years to William de le Bothe, of Norham, John de Werk and William Haldmarket, three of the burgesses of the burgh, subject to the annual rent of £8, amongst other things divers customs in the same town called half-penny toll, another called the small custom of ships in the river Tweed, viz., payments for segage, measurage, and other profits exigible from foreign vessels entering the Port of Berwick, with corn, salt, coals, and other merchandise; and the third called stallage. Richard II. with the assent of his Council in the 8th year of his reign (March 2, 1384-5), as well for the relief of the town as that his faithful subjects the commons of the same town might the better and more easily support their common concerns during the Scotch wars, granted his small custom of the town then not worth £8, and his horse-mill with its profits, which had hitherto produced nothing to himself, for four years, if the war should continue so long, rent-free. Henry IV. on August 17, 1403, as recompense for the services of Alex. Franche, granted him by letters patent the small toll of Berwick, which was sometimes worth 10 marks per annum and sometimes more. Franche afterwards surrendered this patent into Chancery to be cancelled, and the same king granted him the small custom of the river Tweed and the toll of the same town with all commodities and profits to the same custom and toll belonging, to hold from the date of the first grant during the king's pleasure. Franche soon afterwards forfeited the gift by 'disobedience,' whereupon Henry IV., on November 13, 1408, granted the same custom and toll to Lawrence Everard for life.

On the 7th March, 1451-2, Henry VI. granted to Henry Percy in aid of the payment of his salary of £2,566 13s. 4d. for the custody of Berwick, among other things the Burgh Mail of Berwick, and the rent of the Magdalene field which had formerly belonged to an hospital there, the toll called the half-penny toll, the customs of ships called segage, measurage, bollage, and of the customs of other merchandise brought into Berwick by ships, and of the stallage of the market, and of the custom of salmon barrels, and also divers royal customs and subsidies payable at the port of Berwick and at the ports and places thereunto adjoining.

During the reigns of Henry VIII. and Elizabeth, the Corporation collected harbour dues, market and fair tolls, etc. Part of these were the perquisite of the Mayor, but in 1599, Johnson, who then filled the office, voluntarily relinquished these perquisites. The Guild increased or decreased tolls and harbour dues, and imposed new exactions without having any authority but its own necessities for doing so.

Until the year 1616, the tolls were let together with the yearly revenues. In that year they were let separately, and for the future at various rents. In 1617 they were let at £32. In 1622 we learn what were comprised under the term tolls: harbour dues on importation of merchandise, namely, bollage, anchorage, beaconage, barellage of corn, duties on goods brought into and carried out of the burgh by land, viz., package or tolls for packs, toll of the pedlars in the market, toll of corn carried from Berwick, toll of horses and cattle, toll of all manner of horse-loads and all other accustomed petty tolls. In 1623 the dish-toll and penny-toll were let separately for £5 6s. 8d. 26s. 8d. of this was directed to be paid to the parish clerk.

In 1632, and the two following years, the dish-toll and penny-toll of all corn brought to the market for sale, were let to the parish clerk for a year for £5 6s. 8d. Part of which, £4 6s. 8d., 'were freely given him by the town,' but for this salary he was required to clean the market and the street adjoining it. In 1636 the same tolls were let to him and a burgess for £6 13s. 4d., and on the letting of the other ancient revenues for that year, new tolls were ordered on certain kinds of merchandise. In 1640 the petty tolls were let for £8 for four years, and a pension of £1 6s. 8d. was settled upon the parish clerk payable out of the corporate revenues. The Guild had offered him the tolls previously at £6 13s. 4d., but he refused the offer, and could now give him the pension without loss of revenue.

In 1685 the Common Council let the market and other petty tolls for one year for £31 5s. After this, until the passing of the Berwick Pier and Harbour Act in 1808, these tolls were usually let with the harbour duties, etc. It is said

that the claim of the Corporation to the harbour dues collected by them was disputed by the committee of the House of Lords when the Bill for the building of the pier was before them, and that this influenced the Corporation to abandon their claims to them.* However this may be, it is certain that they were entirely taken out of their hands at the passing of the Act. After the passing of this Act, the tolls by land, on articles going out and coming in, were now let separately from the harbour dues, which had been taken away. These tolls were now collected at the Bridge-gate and the Castle-gate. In 1809 the Bridge-gate tolls were let for £172, and at the Castle-gate for £96. On the 3rd October, 1821, the Corporation assigned these tolls, together with the market dues, to trustees upon trust, to receive the rents thereof and apply the proceeds towards the repairs and new pavements of the streets within the modern fortifications of the town, and in the suburb of Castle-gate. It is curious to observe that the Corporation admitted the liability to repair the streets of the town, and that the tolls were taken for this purpose. As much as to say that their right of levying tolls obliged them to repair the streets with the money. In the first place, it may be noticed that no charter of Berwick confers any such right as that of levying tolls indiscriminately upon all kinds of merchandise coming in and issuing at the gates of Berwick. The charter of James VI. and other charters gave right of fair and market tolls on fair and market days, but on no other, and there was no obligation at all resting upon the Guild to repair the streets, but their own conveniency. They exacted tolls by usurpation, and they repaired the streets at their own free will with the proceeds of their usurpation.

In the beginning of the present century, in certain local Turnpike Acts, the Corporation procured the insertion of the following proviso in their favour. 'Provided that nothing herein contained shall extend, or be construed to extend or lessen, prejudice, or take away the rights of the Corporation, or their successors to the present Mayor, etc., or their lessees, to the tolls or duties paid or payable for cattle, goods, or any other thing passing or carried over Berwick Bridge, or through the gates of the said town, but that the Corporation shall have the same right and power to take and enjoy the said tolls as effectually as if this Act had not been made.' Of course no toll has ever been levied for goods passing over Berwick Bridge, that is to say as pontage, and no charge has ever been made for *cattle* passing in or out of the gates of the town. Tolls for cattle on market days, as market dues, have been and are exacted to this day, and for levying such tolls the Corporation has clearly authority from the charter. After the council came

* Weddell MSS.

into power, the tolls continued to be let year by year, but always at lessening rates, through the difficulty of levying toll from some goods which were taxed at a very high rate. In 1837 the tolls, with market dues, were let for £92 only, and in 1839 for £86. In the year 1859, from this cause and from the idea that the exaction of tolls on every class of goods hindered trade to a large extent, they were abolished altogether. Market dues are still exacted for eggs, butter and cattle. The egg and butter market is situated under the east end of the Town Hall. The cattle market, long held on Hide Hill in the open street, has been recently removed to a new and commodious cattle market stance, immediately above the Scotch gate on the east side of Castle-gate, and bounded on the south-east by the line of fortification which still encloses the town.

The Fisheries in the Tweed.

THE history of the fisheries is difficult, both as to their origin and as to their proprietary. An immense amount of information, rude and undigested, exists concerning them. To treat of the subject properly would take a volume in itself. In the space at our command we can only indicate its outlines. In earliest times the King of Scotland was, at least, lord of the soil, and from the year 1028 A.D. the soil on the north part of the river Tweed, belonged to the Scottish King, and the fisheries in the Tweed were part of this property. The fisheries on the same side of the Tweed were all royal property, and were called 'the King's Fishings,' or 'the Royal Waters.' On the south side lay the two comitatual districts, Norhamshire and Islandshire, forming the county palatine of Durham, the soil of which was the property of the Bishop of Durham, and over which he exercised kingly rights. In the same manner the fishings on that side of the river were called 'the Bishop's Fishings.' On both sides some of the fishings had been alienated from their owners by grants from the King, or from the Bishop. The Bishop's fishings in the time of the Edwards, or about 1300, were the following, viz., Hallawellstell, Tweedmouth Stell, Gardo, Blackwell, Blayston or Witherings, Garford or Yardford, New-water, Waltham, Wilford, Greenhill and Pedwell. Those that did not belong to the Bishop were Woodhorn or Pool, South Yarrow, Hugh Shiel, Wen and Walton, Elstell and Start. These latter two, along with Outwaterstell, on the north side, belonged to Alnwick Abbey until the dissolution of the monasteries, when they came into royal hands. To Kelso Abbey belonged the half part of a fishery which was called Berwickstreme. This gift was confirmed by William the Lion ; from the gift of John de Huntendon, the Abbey possessed a certain fishery called Folstreme. David I. confirmed to the

Abbey the gift of Bernard de Baliol of a certain fishery which belonged to 'Woodhorn,' and was called Woodhorn Stell on the river of Tweed. Richard de Marisco confirmed to the Abbey 'Redhous' along with Woodhorn, along with three acres of land which were upon the bank of the river towards Tweedmouth. This fishery of Woodhorn, Redhow and Pool, seems to be parts of the same fishery, and extended westwards from Blakewell, Blayston or Witherings. This Abbey possessed besides these, two marks out of Northarium and £20 annually out of Berwickstreme.

To Melrose Abbey belonged one net in Berwickstreme, given by William the Lion, and another net given by Robert de Bernham.

Jedburgh Abbey owned a fishery thus described by Bruce in a confirmatory Charter as, 'unam aquam liberas solutas et quietas et Edwardesley sicut eam pater meus perambulari et divisas monstravit, and as a water which is against the island called Tunsundhope Edwardesle.'

Dunfermline Abbey owned Aldstell and all that justly belongs to it. The church of the Holy Cross of Edinburgh owned a toft in Berwick and 'tractum duorum retium in Scypwell.'

The monks of Holy Island possessed Hallowstell. The hospital of St. Mary Magdalene owned half of Totyngford quit of tythe and the tythe of the other half, and one-third of the fishery de la Lawe and Calet.

During the reigns of the English and Scotch Kings, while one or other held Berwick, we have frequent notice of the fisheries, only some of which can be quoted. A long and interesting notice occurs under Edward II., December 23rd, 1315: Inquisition made at Berwick-upon-Tweed in the King's ninth year before John de Weston, Chamberlain of Scotland, present Sheriff of said town in *propria persona*, by John Spark, John of Burton, Henry of Skremerston, Elyas of Newcastle, Thomas Harcars, Richard Cutlersagh, Henry of the Castle, Richard of Coldynham, Henry of Cnapton, Adam of Glasgow, Hugh Steward, Nicholas of Huntyngdone, Robert of Huntlawe, John Bulle, William Ruffus, Philip Vulpus, Henry Colle, Adam, son of Stobbs, Robert Grey, Hugh Curry, William, son of Henry, Robert Schandy, William Palmer, Robert Alde, jurors, who say that Alexander de Badely has no lands in Paxton, or fishings in Tweed; that John de Cheseholm had in the vill of Paxton a chief messuage worth in time of peace with cartilage, etc., 6s. 8d., now waste and ruined; also four acres of arable land, each worth, with common pasture 12d., now waste; also five bondages, each of fifteen acres and worth 7s. each, now waste and ruined; also two 'Gresmannii' holding common pasture in the vill each worth, 3s. 6d., now waste; also two

cottages each worth 2s. 6d., now waste. Anabella Ayre held of him in heritage five acres in fee farm, paying 3d. yearly. He also held in Tweed a net in the fishing called Brade, a pertinent of Paxton, worth yearly £6 13s. 4d., but now only worth £4 by hindrance of the enemy; another in the fishing called 'Orrede,' worth 53s. 4d. yearly, now 26s. 8d.; another in the fishing of 'Streme' worth 66s. 8d., now only 20s.; also one in the fishing called 'Bulshote' worth 13s. 4d., now nothing; all this depreciation from the same cause. Total rents in time of peace £6 13s. 11d., and of the fishings £13 6s. 8d., now the latter are worth £6 6s. 8d., whereof Mariota Franceys has the one-third as dower, now or in time of peace. Robert de Paxton held similar lands in Paxton, as John de Cheseholm held them and at the same price, and held similar fishings in the Tweed. Adam de Kyrkely and Lucia, his wife, held half a net of his heritage in the Brade fishing, worth 66s. 8d., now worth nothing. They held it in Frank marriage by gift of the late William de Paxton, Robert's grandfather, and are at the king's peace in England. On Lucia's death this net will descend to Robert and his heirs.* Robert de Wyndegates holds half a net of Robert in Brade fishing, paying 8d. yearly.

This inquisition shows us that the subdivision of the fisheries must have begun at a very early period. This fishery of Brade is next to Paxton, in Scotland, the first fishery beyond the Berwick bounds. On May 20th, 1321, Bruce ordered William Ridel, and the other guardians of the late truce with the Scots, to receive from the burgesses of Berwick the rent of £40 agreed to be paid by them during the truce for the fishing of Tweed between 'le Yarford and the sea and the land of Tweedmouth between le Semyngeside and Tweed, and between le Orede and the sea, and apportion the same among the several owners.'† Bruce likewise granted to John de Roos and John Lyon, New Water, Hundwater, and Cole, and de Abstell, and one net in the fishery of Totyngford. By an inquisition taken on December 20th, 1333, before William de Bevercotes, Chancellor, it was found that Ranulph de Holm (*nunc* Ralph Holmes), father of Robert de Holm, burgess of Berwick, was seized before the taking of that town by the King's gift of all Robert de Paxton's lands in the vills of Paxton and Aldencrawe in the county; viz., one-third of the fishings of the water called 'Brade,' 'Orrette,' 'Streme,' and 'Bulshote,' and half of a carucate of land in Paxton, all worth 20 marks. Ranulph de Holm held considerable property in Berwick; viz., three tenements in Narugate, between the late Hugh Snowe's land on the south and John Todde's on the north.‡

* Bain's 'Calendar of Scotch Documents.' † *Ibid.*

‡ Narogate, or Narugate, was the only street in which salmon were allowed to be sold at that time in Berwick. The salmon merchants in town were, Ranulph de Holm, who sold £9 5s. 8d. worth of salmon to the King in the year 1310-11; Thomas, son of Gilbert, Gilbert Grey, John

He held two by the gift of the King's grandfather, and acquired one from the friars of Seggesdene; another in Waldevegate; one in Butcher Street, acquired from Clement of Leicester and Margery Pult his wife, lying between Simon Turnbull's on the west and Richard Rughpot's on the east, worth 40s. yearly. In the same year, the town of Berwick was taken from the Scots, and the lands, tenements, and fisheries were all forfeited to the King of England; and immediately after the conquest, the King granted to Thomas de Bamburgh and Robert de Tughale, two of his officers in Berwick, the royal fisheries in the water of Tweed; viz., Edermouth, Totyngford, Folstreme, North Yarewyk, Hundwatre, or Hand—or Hume—water, Abstel, Lawe, and Tyt, pertaining to our town of Berwick, and the fishery of Brade, pertaining to our town of Paxton, at an annual rent of 100 marks, and less if any disturbance of the enemy prevented the fishing being prosecuted.

Notwithstanding this grant, the King gave to William de Pressen, as part of his reward for capturing the Earl of Moray, the fishery of Edermouth, which was not put into his hands until 1337. On January 28th, 1336, the two fisheries of Crabwater and Holdeman (Meadow Haven) were given to Robert de Tughale for 5 marks a year. These fisheries were to return to the King's hands on Robert's death.

It will be remembered that, when Bruce farmed the town to the Berwick burgesses, he reserved to himself the two fisheries Cole and New-water. These belonged to the King, and were appurtenances of the Keeper of the Castle, and were in possession of the Keeper in Bruce's reign. When Edward III. gained possession of the town, he seems to have reserved them in his hands, and let them to certain persons for an annual rent, when, in 1364, a great riot took place, and some fifteen men, led on by the sheriffs of the Castle of Berwick, seized violently upon these fisheries. This was done, in all probability, at the instance of Percy, the Governor, for we find the fisheries of Cole and New-water immediately afterwards adjudged, as a perquisite, to the Keeper of the Castle, as in Bruce's time. William de la Vale, Chamberlain for the King in Berwick, over-zealous for his master, had taken this fishery into the King's hands; and on May 20th, 1366, after inquisition held, it was restored to Henry de Percy, and confirmed as his right on October 16th of that year, as well as parts of Hexstall and Hoxstall, Cadmon and Start.

In 1368, the fishery of Auldstell was given to Robert de Hull, one of the

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Marchand, Ewyne of Thiklege, Nicholas Belle, Hugh Snoghe, John Meyr, Gilbert Tollere, Hugh of Leighton, Adam of Orde, Nicholas Gley, and William of Werkorthe.

King's mariners, for good service rendered and to be rendered, in as ample a manner as it had been given to Reginald de Ferrariis, lately serving the King in arms.

In 1412 William Thorp and Robert Tanfield, two of his officers in Berwick, were granted two manors and fisheries in the Tweed. The fisheries were Edermouth, North Yairwe, and Hundwater.

In 1501 Robert Musgrave got a grant of all the royal fisheries in the Tweed save the one that was always held by the Captain of the Castle. These royal fisheries were continually changing hands during all these years. I have given sufficient details to show this. Nothing further of interest occurs until we come to the survey of 1562, which we have appended to the survey of the town, a survey of the royal fisheries then in the Queen's hands. The monasteries by this time had been dissolved and no longer held any fishing waters in the Tweed.

'The names and contents of sundry waters and several Fishings within the liberties and bounds of the said town, beginning at the uttermost boundes towards Scotland upon and in the river of Twede.

'Broade Water Fishing, in the same river of Twede, being the next several fishing extending to the uttermost boundes towards Scotland, containing in length down the said river towards the said town of Berwick 128 polls, is of 4 cobles. It is in the tenure and occupation of Cutberde Strother, Oliver Selby, and Thomas Burrell.

'Edermouth, a several fishing in said river, containing in length 76 polls, is of 2 cobles, in the tenure and occupation of Jennet Pawpert, George Morton, and John Shotton.

'New-water Fishing, a several fishing, containing in length 52 polls, is of 1 coble, in the tenure and occupation of Thomas Carlisle.

'Annoeyde, a several water in the Queen's Majesty's hands, containing in length 100 polls. This is a good fishing, and not occupied of twelve years last past.

'Yarrowstell, a several fishing, containing in length 60 polls, is of 2 cobles, in the tenure and occupation of Thomas Thompson and George Morton.

'Abstell, a several fishing, containing in length 40 polls, is of 2 cobles, in the tenure and occupation of George Morton, Jennet Pawpert, John Shotton, William Walles.

'Several waters of the Queen's Majesty's, containing in length 136 polls by the high-water mark, extending down the said river unto the said Castle wall, is esteemed no fishing water; and between the Castle wall and the bridge there is a hole for a standing net, which the constable of the Castle hath used as appurtenant to his office.

'Waters beneath the Bridge.

'Callet, a several fishing beginning against the New Tower, near the Palace Brewhouse, extending to the stone rock in the stream, containing in length . . . polls, is of 3 cobles, in the occupation of Thomas Bradforth, John Barrow, Thomas Thompson, and the Alderman of Berwick, for the use of the kirk.

'Adstell, a several fishing, beginning at Callet aforesaid, and extending to the other rock, then containing in length . . . polls, is of 2 cobles, and in the occupation of George Morton, John Shotton, Thomas Thompson, Ralph Ferror, and Richard Cook.

'Outwaterstell, another several fishing, beginning at Adstell, and extending the length of a net to Crabwater. It is of 1 coble, and in the occupation of Thomas Carlisle.

'Crabwater Stell, another several fishing, then beginning at Outwater, and extending the length of a net, containing . . . polls of 1 coble. It is in the occupation of Jennet Selby and Thomas Thompson.

'Item, there is another several water called the Walback, not used to be fished of late time. . . (This is now the fishing of Meadow Haven, at that time called Walback, from being behind the Holdmanwall).'

In 1604, George Home, Earl of Dunbar, received a grant of all these Royal Fishings in the water of Tweed along with the grant of land previously mentioned. 'These fishings were to be held by fealty only in free and common socage, not in capite nor by knight's service, subject to the payment of the annual rent to the Crown of £10 for the King's water of Twede, and £8 for the fisheries called Broad and Orret.' On April 10th, 1604, the Bishop's fishings, conveyed to the Crown on the accession of James I. to the throne, were likewise granted to Sir George Home in fee, so that Home possessed nearly all the fishings on both sides of the water as far up as Norham. The exceptions were Elstell, Start and Outwaterstell, which were granted by Charles I., in the twelfth year of his reign, to Francis Braddock and Christopher Kingscote in fee (these fishings had previously been in possession of Sir John Selby and Sir Edmund Sawyer) and Pool, South Yarrow, Hugh Shiel, Wen and Walton, which were at this time in private hands, but the grant has not been found.

All the Bishop's and King's fishings came to the Earl of Suffolk by marriage with a daughter of Sir George Home. By the Earl of Suffolk, the Bishop's fishings were sold, in 1635, to Edward Moore and Andrew Moore, of Berwick, merchants, and William Broad, citizen and apothecary of London, for the consideration of £3,900; and on December 1, 1635, the Earl of Suffolk sold to the said Edward Moore and Andrew Moore all the King's waters in Tweed along with Broad and Orret for the consideration of £2,900. The same parties bought from Braddock and Kingscote, Start, Elstell and Outwaterstell. (The price in this case is not stated.) The same Moores bought up all the separate shares in Tweedmouthstell and Blackwell from Sir William Selby, of Twisell, and Sir Ralph Selby, of Berwick-upon-Tweed, and Ralph Selby, of Twisell, and from Edmund Reavely, of Humbleton, from Gilbert Selby, of Berwick, from Ralph, burgess of Berwick, and Mabella, his wife, and Dorothy Scott, daughter of said Mabella, all of whom held shares in these two fisheries. The Moores thus seem to have possessed nearly every fishing-water on the Tweed. From these owners the fisheries have passed to various proprietors. We cannot follow the subject any further so minutely. But we present a tabulated statement of some interest, to show the extreme subdivision of some of the properties. All the fisheries on the south side of the Tweed are here presented, and show the proprietors about fifty years ago.

FISHERIES FROM THE SEA TO THE CHAIN BRIDGE ON SOUTH SIDE OF THE RIVER.

NAME OF FSIHINGS.	PROPRIETORS.		TENANTS.
Hudshead - - -	Greenwich Hospital - - -		Berwick Shipping Company.
Cocklawburn - - -	,, ,, - - -		,, ,, ,,
Sandstell - - -	Sir John Majoribanks - - -	1/4	
	Wm. Berry - - - -	1/4	John Wilson and Wm. Berry.
	John Wilson - - - -	1/4	
Hallowstell - - -	Messrs. Shuttleworth - -	1/4	Berwick Shipping Company.
	George Carr - - - -	1/8	John Steavenson.
	Miss Tanner - - - -	1/8	Miss Tanner.
	Mrs. Baker and Mrs. Fosberry -	1/8	Berwick Shipping Company.
	Messrs. Compton's - - -	1/8	,, ,, ,,
Elstell and Middle Seas -	Messrs. Shuttleworth - -		,, ,, ,,
Carr Rock and Far Seas -	Lord Crewe's Trustees - -		,, ,, ,,
Tweedmouth Stell and Gardo - - -	Messrs. Shuttleworth - -	1/2	,, ,, ,,
	John Smith and J. S. Donaldson -	1/2	John Smith.
Davies' Bat - - -	Lord Crewe's Trustees - -		Berwick Shipping Company.
Bailiff's Bat - - -	Corporation of Berwick - -		Bonner's Executors.
Blakewell - - -	Smith and Donaldson - -	1/4	Thomas and J. Gilchrist.
	Messrs. Shuttleworth - -	1/4	Berwick Shipping Company.
	J. S. Donaldson - - -	1/4	Fettarshall.
	James Paxton - - -	1/4	James Paxton.
Pool - - - -	Matthew Bell - - - -	1/4	Berwick Shipping Company.
	Executors of J. Blake - -	1/4	,, ,, ,,
	J. Matthews and Mrs. Hubberty	1/4	,, ,, ,,
	Rev. J. Gouldie - - -	1/8	Thomas and J. Gilchrist.
	Colonel Hume - - -	1/8	John Newcombe.
Yarrow and Hugh Shiel -	Lord Lisburne - - -	10/11	Berwick Shipping Company.
	John Steavenson - - -	4/44	John Steavenson.
	Rev. J. Gouldie - - -	1/44	Thomas and J. Gilchrist.
	Colonel Hume - - -	1/44	John Newcombe.
Toddles - - - -	Mrs. Mills, Wilmington - -		Wm. Berry.
Clay Hole - - -	John Pratt - - - -		John Dumble.
Needle Eyre - - -	R. G. Waugh - - - -		R. G. Waugh.
Canny - - - -	John Steavenson - - -		John Steavenson.
South Bells - - -	Wm. Berry - - - -	1/4	Wm. Berry.
	R. G Waugh - - - -	1/4	R. G. Waugh.
	John Grey - - - -	1/4	Berwick Shipping Company.
Yard Ford - - -	Messrs. Shuttleworth - -	1/8	,, ,, ,,
	Miss Tanner - - - -	1/8	Miss Tanner.
	James White - - - -	1/4	James White.
Start - - - -	Lord Crewe's Trustees - -	2/3	Berwick Shipping Company.
	Messrs. Shuttleworth - -	1/3	,, ,, ,,
Watham, or Walton, up to Chain Bridge - -	,, ,, - -		,, ,, ,,
Cheswick Sea Fishings -	Donaldson, Wilkie, etc.		
Goswick - - -	G. A. Askew, Esq.		

It will be seen from the above statement that the Corporation owned Bailiff's Bat. This fishing came to the Corporation, in 1657, along with the Manor of Tweedmouth and Spital. At the same time, the Corporation started a new fishing at the Coroner's Meadow, whose possession had been obtained by the grant of

James I. This fishing was called the North Bells. It is curious to note how the lettings of these fishings varied. At first Bailiff's Bat, let for £58, and the North Bells £140. I shall state the rent derived from these fishings every tenth year till the present century begins:

In 1660	North Bells,	£171	0	Bailiff's Bat,	£54	0
In 1670	„	„	81	0	„	„	44	0
In 1680	„	„	37	0	„	„	28	0
In 1690	„	„	7	0	„	„	7	10
In 1700	„	„	7	5	„	„	5	0
In 1710	„	„	23	0	„	„	11	10
In 1720	„	„	45	0	„	„	13	0
In 1730	„	„	98	0	„	„	15	0
In 1740	„	„	129	0	„	„	60	10
In 1750	„	„	152	0	„	„	71	0
In 1760	„	„	155	0	„	„	80	0
In 1770	„	„	165	0	„	„	115	0
In 1780	„	„	167	0	„	„	125	0
In 1794	„	„	125	0	„	„	163	0
In 1801	„	„	82	0	„	„	110	0

There were three modes of fishing in the olden times. They are described by Mr. Weddel as 'wear-shot,' 'stell-nets,' and 'ring or bob-nets.' 'Stake-nets are of recent origin. The wear-shot net is rowed by means of a boat into the river in a circular form, and is immediately drawn to the shore. The "stell" is a net of a similar shape, and is likewise rowed into the river, but in a semicircular form. A rope, attached to the one end of it, is held by the fishermen on shore, and to the other extremity is attached an anchor, which is fastened in the bed of the river. The fishermen in the boat then go to the centre of the net on the outside of it and take hold of it, and when they either feel fish strike against the net or see them approach within its reach, they give notice to the men on shore, and, while the latter haul in their end of the net, the men in the boat hoist the anchor and row with it on shore. The ring or bob-net is a long net without any bosom (which the other nets have), and is fixed in the river, in a straight line perpendicular to the shore, by a stone or anchor at one extremity in the river and to a post or ring on the shore. This description of net does not, like the others, require the constant attendance of workmen. The meshes of the bob-net are sufficiently large to allow the head only of the salmon to go through them, and when they find they cannot proceed, they attempt to turn, and are caught by the gills, and the workmen, at their leisure, remove them from the net.'

The wear-shot net is the only one now allowed. The others, being fixed nets, were abolished by the Tweed Fisheries Act, August 17th, 1857.

Topography.

IN the earliest times of Berwick's History we learn the nomenclature of the streets from the different grants by charter to the numerous Scottish Abbeys of that period, and, reading from them, the streets and places named are as follows: Ravensden,* Cowgate,* Briggate,† Saint Marygate,† Crossgate,† Uddingate,† Narougate,† Waldefgate,‡ Butcher Street,‡ Super le Nesse,‡ the Land of Dodyn and of Walef,‡ the Village of Bondington,‡ Soutergate.§ Considering the names, we conclude that the streets were almost in the same position as now. Taking Ravensden, which reminds us of the time when the ravens must have bred in the trees that clustered near the lower end of the street, and Briggate and Saint Marygate, which still exist, along with Uddingate‖ and Crossgate, for Church Street and Woolmarket, we at once see that the form of the town has remained the same, and that the streets, which the inhabitants of the nineteenth century tread upon, are the very same as were trod upon by those of the twelfth century. Super-le-Nesse was not a street, but a district, comprising all the town, from the present Ness Street and Silver Street by Sandgate, the Quay Walls and Wellington Terrace, round again to the Nessgate. The streets of the Ness are not named separately in early times. Of the position of the Land of Dodyn and of Walef no record remains. The village of Bondington, already referred to under the Ecclesiastical History, must have lain in the same position as Castle Terrace now does, and must have included within its bounds all the land to the river in front. The parish of Bondington, I presume, was co-extensive with the Bounds of Berwick, for we have Letham distinctly stated as within the parish of Bondington. From the

* Coldstream Chartulary. † Melrose do. ‡ Kelso do. § Dunfermline do.
‖ Adam Uddin left his lands in Uddingate to the Church of St. Mary in Kelso.

Melrose Charters we learn that there were ten acres of land left to the House at Melrose, which were called 'Hiddesland in tenemento de Bondington juxta Berewicum-super-Twedum cum libero introitu et exitu ad easdem sicut jacent per suas rectas et antiquas divisas inter terras monialium de Berewico et domus Sancti Marie Magdalene versus orientem et terram abbatis et conventus de Kelcou et monialium antedictarum versus boream et altum stratum regiam qui ducet de dictu domo beati Marie Magdalene usque villam de Bondington versus austram sine aliquo retinemento.' Another piece of land is described as yielding 'xii. denarios dictis monachis prefati domus de Melros terram illam apud berewic que est juxta stagnum vivarii sicut fossa castelli descendit in stagnum usque ad stratum regiam.' This stagnum is evidently the loch called the Tapee, which was in the position in which the Railway engine-sheds now are, and which was drained entirely away when the Railway was made right through its bed, and through the site of the Castle. Another locality is mentioned in the same chartulary as between Hangcester et siccum qui venet de Fuleford. This latter name is still the title of a street in the part of Berwick which was, at that time, called le Nesse. An interesting notice occurs in Bain's 'Calendar of Scots Documents,' which I obtained too late to insert in its proper place; but, as some names of streets occur in it which I have not noticed elsewhere, it is here inserted in full:

'July 30, 1313. Inquisition in virtue of a writ, dated Westminster, the 4th of the same month, directing the Chancellor and the Warden to inquire by what services a burgage and four places are held by Nicholas of Carlisle, the King's sergeant in Berwick-on-Tweed, and whether forty acres between the said town and its fosse, extending from the old place, formerly of the Friars Preachers of Berwick, outside the streets of Burghgate, Sutergate and Sissergate, towards . . . . . held by many men of the King at will, as in the time of the late Alexander, King of Scotland, might be granted without damage to Nicholas to hold of the King, held at Berwick-on-Tweed, on Monday next, after the Feast of St. James the Apostle in the thirtieth year before Sir Walter de Agmodesham, Chancellor in Scotland, Sir Edmund de Hastingges, Warden of Berwick, and John Burdone, Sheriff thereof, by Philip de Ridale, John de Baddeby, William de Orford, Simon de Dirlton, John Bandewyn, Peter le Cros, John of Corbridge, William of Roxburgh, Robert of Helensleie, John of the Hall, Ralph of Blechings, Hugh of Grendone, John of Hawburn, William of Knaftone, Thomas Son of Ivetta, and John of Bastone; who say on oath that the said Nicholas holds that burgage which was Ralph Philipes in Briggate Street, of Berwick, by extent made by the English Burgesses of said town, viz., four marks per annum. Also a vacant place on le Nesse, which was the Bishop of Moray's by same extent, 3s. per annum; another vacant place on le Nesse which was William the Scriptor's by the same extent, 4s. per annum. Also a burgage which was Henry de Stirling's on le Nesse extended ut supra at two marks per annum, and know of no more held by him. They say these forty acres between the town and the fosse were held in the late King Alexander's time by divers burgesses of Berwick freely without any reddendum, as pertinent of their burgages, and, when said burgh was founded, they were given to the burgesses to build, if any wished to do so, and there are streets arranged in said ground for this. But they are now held by divers burgesses of the King of England for yearly payment of 2s. an acre, under extent made by his bailiff, whereby each

acre was extended at 12d., and other services. These are Robert of Holande, William of Thorpe, John of Bastone, William of Brun, John of Appleby, Richard of Len, Richard of Foxholes, Walter of Agmodesham, Ferinnus of Pontefract, Robert Herion, John of St. Botulph, John of Westone, Thomas del Bed, William Torald, Robert Pulter, Robert of Hecham, Ranulph de Holme, Peter le Cros, William le Clerk, John Spark, John Bandewyn, Reginald l'Enginour, John of Corbridge, Thomas Michel, Hugh of Grendon, Michael of Markham le Orfeure, Alex le Carpenter, John Packer, and Robert of Newcastle. That this ground cannot, without the greatest injury to the King and destruction of the town, be held "integre" by Nicholas or any other; and the burgesses have no other place within or without their town where they can have a handful of grass or pasture or any other easement except these forty acres, whereon all the burgesses both great and small have common pasture in open time by use and wont, and they are divided into small divisions, as in the time of King Alexander, among the burgesses. And if the King's pleasure is that they should not be pertinents to the burgesses and their burgages, he may, if he will, increase his said town by 160 burgesses.'

Where these forty acres could be, it is difficult to say, unless in that part of the town that the Greens and contiguous streets now occupy. If so, the population of the town in these early times must never have been so great as the old chroniclers would have us believe.

We pass on to Edward III.'s reign, when, in the Scotch rolls in 1336, we have the names of fourteen streets given, as follows, omitting those already named: Quarelgate, Kergate, Fishergate, Segate, Walkergate, King's Gerner, near the Muckgate (*i.e.*, the Cowgate). The Land of Dodyn and of Walef, and the village of Bondington, in which these lands were situated, are no longer referred to. This village has been so completely obliterated that tradition has no record of it. Additional streets and places are named in the Pipe Rolls of Edward III.: Frouthoroughgang, Bradthroughgang, Scyruenlane, Waleysgate, Watergate, and a part of Berwick called the Barony of Lindesije (Lindsey). Waleysgate was a gate in the old walls somewhere about the upper end of Wallace Green, to the contiguity of which that street may owe its name. The Barony of Lindsey is said to be part of the manor of Lamberton, which Edward had conferred on William de Coucy, and which was in his hands by forfeiture of Laurence de Abernethy.* The Barony

* To explain how the names Lindsey and Abernethy occur here we append this note: Sir Walter de Lindsay, of the Lamberton family, was Sheriff of Berwick in reign of William the Lion; Lamberton fell to him from his father, William of Ercildun and Luffness. He died in 1221 or 1222. His son, Sir William, got with his wife great estates in Westmoreland, Yorkshire and Lancashire. His son, Walter de Lindsay, was succeeded by his son, Sir William, who married Ada, eldest surviving sister of King John Baliol, who was ultimately eldest co-heir of Edward Baliol 'the claimant. William was killed in battle against Llewellyn, Prince of Wales, November 6th, 1283. His daughter and heiress, Christina de Lindsay, was married by her cousin, Alexander III., before 1285, to Ingelram de Guignes (his brother-in-law), second son of Arnold III., Count of Guignes and Namur, and Sire de Couci. In his wife's right he sat as a Scottish Magnate at Scone, February 5th,

of Lindsey in Berwick is said to include Narougate and Waldegate. These streets are both unknown, so that it is impossible to locate this district.

After this we gain no more knowledge of the town, its size or population or names of streets, till the survey of 1562, when we have not only the nomenclature complete, but the names of all the owners of property in the town (see Appendix V.). Several names of streets have disappeared—Quarelgate, Fishergate, Segate, Waldegate and Waldevegate, Frouthoroughgang, Uddingate, Fleshergate, Narougate, and Barony of Lindsey; and, added to the old number that have stood the test of time—Hidegate and Hidehill, Rotten Rowe for Ravensdown, Grenes, Wester Laine or Wildeslaine, Easter Laine or Gambslaine, Windemilhoole, Sandegate, Walkergate-without-the-Rampire or Shaftoes Laine, Castlegate, South and North. Soutergate was then the name of Church Street, and Shaw's Lane of Chapel Street, and sometimes Walkergate was called Shaw's Lane. Paxhole occurs as a name, which is now known as Packs Hole. In the names that the streets bore in the survey of 1562 very little alteration has taken place till the present day. Crossgate has entirely passed away for Woolmarket, Hidegate for Silver Street. The Ness is now confined to one small street, and 'Palace' has usurped its place. Palace Street, East and West, and Palace Green, cover the whole area formerly denominated Super-le-Nesse. Soutergate has gradually been displaced by Church Street. Windmilhoole is modernized into Tweed Street. With these few exceptions the Berwick of 1562 is the Berwick of 1887.

The 'Catwell' has disappeared from Hide Hill. Till recent years it could be seen a little south of the entrance to the King's Arms yard, and nearly at the outer edge of the pavement. The three jails of 1600 A.D. were the 'Haddock's Hole,' the 'House in the Wall,' and the 'Tolbooth,' or Town Hall. The first is an unknown site; the second was situated not far from the Drum Flagstaff, on the south-east corner of the wall on the water-side. The Guild Book of 1608 speaks of a Pant near the 'Pennyless Bench,' which was near the top of Hide Hill. The 'Contrell Pallice' in Sandgate is mentioned, and the Rock Lands in the Nesse. The Rampier is mentioned as very noysome from the 'Alley Snich' to the 'Starre Lane.'

1283-4, and at Birgham, March 17th, 1290, etc., etc. He was greatly devoted to Edward I. ('Scottish Nation,' vol. ii., pp. 667, 668). After Bruce recovered Berwick, De Couci forfeited his right to this estate, and Bruce conferred De Couci's lands upon Lawrence De Abernethy one of his devoted followers. But when Edward III. came to power and took Berwick, all the lands were again forfeited, and he now conferred the lands of Lamberton and Barony de Lindsey upon the heir, William de Couci.

Passing to the Bounds, or lands belonging to the freemen, we have Balders-bury, Nunslees, White Dam Head, High and Low Cocklaw, New Mills, West Edge, Stonymuir Riggs (Three-Steads-behind-the-Hill), Brow-of-the-Hill, Number One or Camphill, The Hope (Dunse Road), The Hope (North Road), Conundrum Steps of Grace, Loughend, The Folly, New East Farm, Bogend, Redpath's Fields. The following names have passed out of use: Pethcar, Petticar or Pittakote Lough, Thistle Anney, Ewebriggs, Cattcrag, Chapman Chesters, Hawked Cowe, The Burr Anney, Dowde Well, Drythrople, Porterhaugh, Burrs.

The question of population is a very difficult one. At no time before 1565 is the matter even hinted at. It is only by casual remarks that we discover that sometimes the fact was apparent that the population was less than it had been. The number slaughtered in any of the conquests of Berwick is of no use in determining the question, because of the number of soldiers necessarily present on such occasions. In the year above named, in the State Papers of Queen Elizabeth, June 8th, the inhabitants of Berwick are said to be:

Garrison soldiers, officers, etc.	1,202
Workmen, artificers, etc.	845
Freemen and their servants	228
Stallengers and their servants	203
Women servants and widows	275
Children under 14	251
Men's wives of all sorts	507
Total	3,511

When the garrison was dissolved in 1603, and all workmen who had worked on the walls, abstracted from the town, the population to whom the charter was granted must have been very small indeed. The map inserted at p. 172 shows a very limited number of houses. The population is not again mentioned till we reach the present century. In 1811 it was 7,746; 1821, 8,723; 1831, 8,920; 1841, 8,484; 1851, 10,294; 1861, 8,560; 1871, 8,718; 1881, 9,155. The population estimated by Dr. Fuller about 1736 amounted to 3,816, and 1799 to 10,000; but these numbers are clearly erroneous when we take into account the *real* number in 1811. At present the population is decreasing. This part of the subject we conclude with the following extract:* 'The women of Berwick are, without the exception of even Edinburgh and Inverness, the most beautiful to be found north of the Tweed. They are not only beautiful in so far as bloom of complexion and regularity of features are concerned, but they possess the utmost

* Chambers's 'Picture of Scotland,' 1828, vol. i., p. 24.

elegance of form, and dress with taste equal to their native graces. The art of the toilette has here been carried to a height rare in this quarter of the island, or, indeed, out of the metropolis, on account, it is said, of the facility with which the belles of the last age procured the *fashions* from London by means of the smacks'—that is, vessels that traded between Berwick and London before the days of steam and of locomotives.

Berwick Castle.

OF the castle little can be said; there is no account of its erection, and of its repairs and history frequent mention has been made in the text. It must have been completely built in the time of Edward I. It continued to be garrisoned till 1603, when the garrison was dissolved. After the present walls were built it became of less consequence, for it was then outside the defences of the town. In the time of the building of the walls, it was determined to demolish the castle; and a quantity of stones were actually taken from it to assist in erecting the new fortifications. In 1603 it was parcel of the grant given to the Earl of Dunbar from the Crown, from whom it came into the hands of the Earl of Suffolk. James, Earl of Suffolk, sold it in 1641 to the Corporation for £320, who bought it for the express purpose of making it a quarry to aid in the erection of a new church. After they had obtained all they wanted from it, of stones, wood and lead, it was sold in 1652 to Stephen Jackson, an alderman of Berwick, for £100. From Jackson, the castle and site of the same passed to the hands of Thomas Watson, an alderman and merchant of the Burgh. From the family of the Watsons it passed, about 1770, to the possession of John Askew, of Palinsburn. In the hands of the Askews it remained until the North British Railway purchased it in 1843, when what little was left of its remains was blown up with gunpowder and cleared out. The western flanking wall still stands with the base of the Water Tower on the river side (the White Wall of early times). The remains of two other towers still stand a few feet above ground, one octagonal in the garden of Castle Vale House, the other in the field on the west side of the site of the castle, and adjoining the western wall before it begins to descend to the river. These are all that remain of this once important fortress.

The making of the railway through its very site has defaced all traces of a ground plan. It is, however, supposed with great approximation to the truth that the Great Hall in which Edward I. declared his decision in favour of Baliol, corresponds as nearly as possible to the site of the platform of the station.

While the castle thus early became a ruin, the walls remained fortified and supplied with artillery till this present century. The different mounts as now known are, from the westward round by the north and east, Meg's Mount, Cumberland Bastion, Brass Mount, then Windmill Mount on which are guns for militia practice, and lastly the King's Mount. Following on the line of the walls, there is Fishers Fort or Six Gun Battery, defending the river to the eastwards, and the Saluting Battery, which mounted twenty-two guns, looking south and west over the river. The walls and bastions mounted in all fifty-four pieces of ordnance, which were kept in position until 1819, when they were removed and sent to Edinburgh Castle to prevent them falling at that time into the hands of the radical rioters. In the walls there are four gateways, Scotsgate, Cowgate, Shoregate, which are contemporaneous with the walls themselves, and a Piergate opened in 1816. Another gate existed at the end of the old bridge till 1825, when it was removed.

We append to this note an inventory of the warlike stores of the castle in the time of Henry VIII.*

There is an Indenture among the deeds in her Majesty's Office of Ordnance, dated 20th January, 1539, for the delivery of the Castle of Berwick, together with all its military stores, by Sir Thomas Clifford to Sir William Ewers, who thereby, among other things, received the following:

'The towne, castell and towre, with all the ordinaunces and municyons artillarye and habyllyments off warre thereto belonginge as by particular parcelles hereafter ensuyth besydes the implements whych ar conteyned in a cedull unto thys present indenture annexed; that is to saye:

'Fyrste, at the Hall Door within the said Castell, a double cannon of brasse unmountyd, with seven score and two shotte of iron for the same, two bombardilles † of iron unmountyd, and a chambar ‡ of iron for either of the same with 39 shotte of stonee; for the same bombardilles four score and five shotte of iron; for a demy cannon 31 stonee shotte and no pece for them.

* Inventory of Stores there in 1539, extracted by Mr. Robert Yelloly from Meyrick's Ancient Armour in 'City of London Library,' vol. ii., p. 242.

† The smaller kinds of bombards.

‡ The chamber held the charge, and was put into a place made to receive it in the cannon. Thirty or forty were often kept ready charged. Some of these ancient chambers may be seen at Alnwick Castle.

'Item, in the Bownkell towre, three serpentynes stokkyd and bound with iron with forlookks and two chambars of iron for every of the same; two sledges of iron, a fowler* of iron stokkyd and bounde with iron, with forlok and syxe chambars for the same; and upon the hed of the same towre a saker† of brasse of the fyer brande of Homfrey's makinge mountyd uppon shod whelys with ladell and sponge; a fawcon‡ of brasse called the porteculles of Homfrey's makinge mountyd upon shod whelys with laddell and sponge.

'Item, in Clayton's towre, three serpentynes stokked and bounde with iron; a payre of old saker whelys bounde with iron, and uppon the same towre hed a saker of brasse of Scottyshe makinge mounty'd upon shod whelys with laddell and sponge.

'Item, upon the walles at the bakehouse ende, a saker of brasse of Scottyshe makinge called the Thysell, mounty'd upon shod whelys with ladell and spounge; a faucon of brasse of Homfrey's makinge, mounty'd with shod whelys with ladell and sponge.

'Item, a fawcon of brasse of the fier brande, with oon olde stokke uppon shod whelys with ladell and spounge.

'Item, upon the olde towre hed a fawcon of brasse of the fyre brande mounty'd upon shod whelys.

'Item, in the littel house in the walle beside Bownkill towre, 22 straks of iron for saker whelys; 22 shotte of lead for a fawcon; two bolts of iron with rampaires and three houpes of iron; a payre of olde saker whelys bounde with iron.

'Item, in the Hawke House, halfe a laste of gunpowder; 41 black bylls helvyd;§ 44 byll heeds unhelvyd; 24 shotte of iron for a saker; four shott of iron for a demy culveryn;‖ a great brasse morter, with a pestell of iron for making of powder.

'Item, in the gonner's chambar, 28 hagbushes of brasse;¶ 11 chambars for Serpentyne; a chambar of iron without a hawll; a stamp of iron for hagbusshes, wyth a worme at the ende.

* Mr. Lodge's book says 'Fowlers with their apparell with two chambers.'

† Sir W. Monson's Naval Tracts state 'Sacar was a piece of ordnance of three inches and a half bore, weight of shot five pounds and a half.'

‡ From last authority we learn that the falcon was of two inches and a half bore; weight of shot two pounds.

§ With handles fitted into them.

‖ The bore of the demi-culverin, according to Monson, was four inches; weight of the shot, nine and a half pounds.

¶ The same as haquebut or hagbut, with barrel of brass.

'Item, in the ordenaunce house in the dungeon, 53 bowes of yough wraiks; 26 dosyn bowestrings; 27 hoole barelles, and fifty and 7 half barrelles of gonne powder; 15 pece of lether calteroopes;* 14 payr of dowlays for whelys; 23 bolts of iron for ordenaunce; 5 boundes of iron for gonne stokks; a barre of iron for oon axletree; 5 lynspynnes of iron; two forlokks for stokk to ordenaunce; a mould of iron for a serpentyne; thre chaynes of iron; a barre of iron; 23 stracks of iron for saker and fawcon whelys; six hondreth shotte of leade for a serpentyne; thre hundreth shotte of lead for a fawcon; four-score shotte of lead for a slang; 16 shotte of lead for a saker; 2 hundreth shotte of leade for hagbushes.

'Item, in the armery above the hall, 9 old sallets, foure payr almane ryvetts† good; 15 payr almaine ryvetts, rusty and broken; syxe stele gorgets; 5 payre of splents;‡ a barrell and a hawlk§ for a gynn.

'Item, in the ordenaunce house above the armery, 13 score and 5 sheves of arroes; 13 headstalles; 51 horse collers; 51 old horse tracys; 5 score and 13 morys pikes; three sheves of brasse; 11 cressetts of iron; two chests for arrows.

'Item, in the towre at the end of Whyte Walle, 8 double hagbushes.

'Item, in the towre of the bridge, upon the hed of the same, a serpentyne of brasse mountyd upon oon old stok with shod whelys, with ladell and spounge; 12 shotte of lead for the same.

'Item, benethe in the same towre, ten hagbushes of iron, with thre score shotte of lead for the same; a sledge of iron; 30 shotte of lead for a fawcon; thre trestelles‖ for hagbushes; a ledder bag with powder, etc.'

* The calthrop or cheval-trap was a little instrument of iron made with four spikes, about an inch long each, and so placed that whenever thrown upon the ground one spike is sure to stand upwards. These were scattered in numbers to lame the horses. The above-mentioned are leather calthropes.

† Movable rivets, first made in Germany.

‡ Composed of several little plates that run over each other and defend the inside of the arm.

§ Or hague—the hacked butt, so called from being curved like a hook.

‖ Trestles on which were placed one above another the hagbutts.

The Jubilee Rejoicings of June 21, 1887.

BERWICK determined not to be behind its neighbours in worthily celebrating the fiftieth anniversary of the ascent to the throne of her Majesty Queen Victoria. For weeks previous to the event great preparations were made, that everything on the appointed day might pass smoothly over. The chief anxiety—and one which in all open-air proceedings must ever remain—was the state of the weather. As the day approached the symptoms seemed favourable, but the realization was beyond all expectation. The sun shone brilliantly forth, while the heat was tempered with refreshing sea-breezes.

When the morning dawned, the principal streets of the town were found gaily hung with flags of every description, and all the public buildings were decorated; while it was evident that dwellers in private houses had striven to excel their neighbours in the manifestation of their loyalty. The rejoicings began as usual with the music of the bells. At eleven o'clock the Deputy Mayor,* W. Alder, Esq., with the municipality and many of the inhabitants, marched from the Town Hall in procession to the Parish Church, where a Jubilee service was held, after which the company returned to the Town Hall and partook of refreshments. A joint service of Nonconformists was held in Wallace Green Church, when Principal Cairns, of Edinburgh, delivered an admirable address on the occasion. The chief feature of the day's proceedings then took place. The children of all the schools in the town—in short, all children between the ages of five and fifteen—were marshalled under distinctive banners, and under the supervision of the teachers of the Day and Sabbath Schools, in the Parade, when they marched in procession, headed by the Corporation's Academy as the oldest representative of education in Berwick,

* The Mayor (James Allan, Esq.) was unable to be present, through illness. This was the only drawback of the day.

through Walkergate Lane, High Street, Hide Hill, Silver Street, Ness Street, and along the Pier Road to the Pier Field. The procession, after being formed with military precision by Commander Norman, Sheriff of Berwick, and a staff of able assistants, began to move off, with a band of music in front, along Walkergate Lane into High Street, where a short halt was made in front of the Town Hall. On its steps the Committee of Management assembled with the Deputy Mayor and the other officials of the town, and a short ceremony was performed. The Hundredth Psalm was sung by the great congregation, after which prayer was offered by the Vicar of Berwick. Then Deputy Mayor Alder and the Rev. W. Ainslie Walton, B.D., addressed the children, after which the National Anthem was chorussed by the thousands of young voices that thronged the street. Three ringing cheers were given for the Queen; and that some local memento of the great day might be preserved, the company was photographed by Mr. W. Green, Berwick. The sight of the High Street from the steps of the Town Hall will never be forgotten by those who were privileged to witness it, from the deep interest of the sea of faces, and the perfect order and harmony of the whole proceedings. The procession then moved on by the line indicated, and drew up in the Pier Field. When the trumpet sounded, the ranks were broken, and the whole multitude engaged with zest in the sports and amusements which had been planned and provided. Tea was served in the course of the afternoon. After hearty and pleasant enjoyment, the company broke up about seven o'clock. In the evening the Town Hall was very brilliantly illuminated, as well as were many of the private houses. A huge bonfire blazed on Halidon Hill, and was answered on the neighbouring heights as in the days of yore, but with far different purpose. Then it was to tell of some imminent danger, that called the warrior to buckle on his armour for the fray—that sent a thrill of sickening fear through the heart of the timid. But now it told the joy of a united country that rejoiced with its Queen over the completion of fifty of the most prosperous years of the reign of any British Sovereign.

Appendix I.

LIST OF BURGERS AND COMMUNITY WHO TOOK OATH OF FEALTY TO EDWARD I. IN 1291 A.D.

Phillipus de Rydale, Mayor.
Ranulphus de Whitby.
Ingeramus de Colton.
Henricus Fraunceys.
Thomas de Venour.
Richardus Tannator.
Petrus de Coventre.
Robertus de Eborum.
Matthæus de Coteler.
Willielmus de Mersington.
Willielmus de Grendon.
Master Roger Bartholomew.
Wm. Challcorun.
Dd. de Keinsworth.
Alan de Langeton.
John de Mareschal.
Nicholas de Beverley.
John de Whitby.
Warinus de Pebles.
Robert de Barton.
Laurentius Clericus.
Martin Lespicer.
Wm. Clericus de Berwick.
Adam de Dunbar.
Thomas Tod.
Robert de Whitby.
Simon de Tridelton.
Nicolaus Champion.
James Aurifaber.
Roger Philip.
Robert de Breghin.
John de Knapton.
Thomas de Selghkirk.
Henricus Aurifaber.
Thomas Mousy.
Johannes Clericus de Berewico.
Johannes de Howe.
Johannes de Routhlyrn.
Eustachius L'espicer.
Willielmus May.
Gregorius de Coldingham.
Johannes de Wainflet.
Alexander le Tallour.
Thomas de Beverlaco.
John de Cornbyr.
Henry Spring.
Adam de Mar.
Adam de Seleby.
Robert Russell.
Johannes Monachus.
Wm. de Holthall.
Alexr. Pelliparius.
Nicholaus de Whitby.
Robert de Dunbar.
Ralph Taket.
Adam Grossteste.
John de Aberdeen.
Stephen le Mercer.
Reginald de Venour.
Ralph Philip.
Robert de Lamberton.
Henry Tonsor.
Richard Gilbe.
Walter de Gosewyk.
Wm. Clericus.
John de Strivelin.
Roger le Espicer.
John Oter.
Adam de Barton.
Adam Moigne.
Wm. Gretheved.
Warinus le Violer.
Wm. de Hereford.
Richard Dod.
Adam de Strivelyn.
John Mareschal.
Robert Oliver.
Richard de Newton.
Thos. de Tannour.
Wm. Brokour.
Thos. Bataile.

Appendix II.

LIST OF BURGESSES AND OTHERS WHO TOOK OATH OF FEALTY IN 1333 TO EDWARD III., AND GOT LETTERS OF PROTECTION FROM THE KING 25TH JULY.

Adam de Bodyngton.
John de Raynton.
Thomas de Camera.
David de Kymbergeham.
Hugh de Upsetelyngton.
Wm. de Norham.
Thomas de la Bedde.
John Taillour.
John de Langeton.
Simon de Blithe.
Henry Marshall.
John le Barker.

Henry Bataille.
Wm. Armstrong.
Richard Slengesby.
Adam Sadeler.
John Palmer.
Thomas de Paxton.
Warinus de Beverlaco.
Wm. de Paxton.
Wm. de Rokesburgh, Master of the Domus Dei.
Roger Oliver.
Eda uxor Petri filii Johannis.
Thomas le Hattere.
Thomas de Blekkele.
Agnes de Morthyng.
John de Dorchester.
Robert de Lamberton.
John de Harden.
Thomas Hatter.
Thomas de Rydale.
Simon de Saltoune.
Agnes de Morthyngton
Master Gilbert de Sprouston, Master of the House of Mary Magdalen.
John de Molendino.
John de Ancroft.
Adam de Listeter.
Simon Shandy.
Egidius de Myndrom.
Bridnius Candelan.
Adam Shanks.
Ralph de Hadyton.
Hugh de Ẽpatu of Berwick.
Ada, who was wife of Robert Blakeburn, of Paxton.
Wm. Mazoun.
Elias de Paxton.
Clemens Todde.
Edward de Eyton.
John de Blekkele.
Robert Bet.
Christopher de Coloigne.
Robert le Sotherum.
John Normaund.
Wm. de Edenham.
John Skayl.
Patrick Mazon.
Robert Loter.
Robert de Cornall.
Wm., son of Simon Alde.
John Etal.
Henry Lesseman.
Thomas de Heton.
Wm. Stubbe.
Wm. de Lithe.
John Moigne.
Adam de Slengesby.
John le Gros.
Nicholas Lanark.
John Lang.
Adam Moigne.
Richard Rokkepot.
John de Cornale.
Richard Paxton.
Thomas Ughtred.

Appendix III.

The following taxes were granted to be levied for one year for the repairing of the Pavement of Berwick ('Scot. Rot.,' ii. 87—1337 A.D.):

Of every cart-load of wheat or of malt coming into town	1d.
Of every horse-load of wheat or of malt, or other merchandise	½d.
Of every horse and mare, ox and heifer	½d.
Of every 10 sheep	1d.
Of every pig	½d.
Of every carcass of an ox	½d.
Of 3 sheeps' carcasses	½d.
Of every horse-load of sea fish	½d.
Of every barrel of onions	½d.
Of every measure of red onions	½d.
Of every quarter of salt	1d.
Of every cart-load of iron	1d.
Of every horse-load of cloth	1d.
Of every hundred yards of web of Irish canvas cloth, Galloway worsted, and Kendale	1d.
Of every hogshead of wine	2d.
Of every barrel of fish	½d.
Of every hide of horse, mare, ox, and cow, fresh salted or tanned	½d.
Of every hundred of steel (gaddoz aceris)	½d.
Of every hundred horseshoes and cart-nails	½d.
Of every hundred pelts of goats, stags, bears, deer	½d.
Of every hundred pelts of lambs, kids, hares, rabbits, foxes, cats, squirrels	½d.
Of every wey of cheese or butter	½d.
Of every hundred of tin, brass, and copper	1d.

Of every horse-load of soap or grease - - - - - - - - - - - ½d.
Of every hundred pound of 'averio' - - - - - - - - - - - 4d.
Of every 10 gallons of oil - - - - - - - - - - - - - ½d.
Of every package of any merchandise exceeding the value of 2s. - - - - - - ½d.
Of all other kinds of merchandise coming to town, passing out by load of horse or cart, to the value of 5 shillings, not named or specified - - - - - - - - ½d.

Appendix IV.

THE AUNTIENT STATUTES* OF THE TOWNE AND CASTLE OF BARWICK,

SIGNED BY THE QUEEN'S MAJESTIE THE FIRST DAY OF OCTOBER 1560 AND YE 2ND YEARE OF HER HIGHNES RAIGNE.

A Penaltie for not taking the oath.

First yf there be any soldiers in the Garrison that have not taken their oaths to be true to the Queen our Soveraigne Ladie and to the Captain of the towne for the time being and to all the rules, directions and ordinances made and to be made by the Captain, Marshall, Treasurer, and Mr. Porter, chancellors within the same town for the preservacon and good rule and ordinaunce within the same, he or they that so are not sworn to come into the Captain and take their oath and he or they that doe otherwise to forfeyt for their presumptions their wages before served and further to be punished at the pleasure of the Captain.

For Keeping of the full retinue.

Also yf there be any person of this garrison having any retinue under the Queene Our Soveraigne and the Captain and kepeth not the full nombre of his said retinue dailie resorting and abiding within the town according to his oath and chardge so taken except he be otherwise licensed by the said captain and that the said Captain for a moneth he to forfeite and loose for every man so absent and vacant the double value whatsoever wages he be retained unto and further to be punished in example of others at the pleasure of said Captain.

Treason against the Queen's Person.

Also if there be any person of this garrison that comytteth annie manner treason against the Queen our Souveraigne Ladie's most noble person or that any manner of confederacies or conspiricie, conventicles, common murthers or any imaginacons within the towne or boundes of Barwicke he or they so doing to be taken as traitors.

Porloyning of the Queen's Ordenaunce.

Also if there be any person of this town that stealeth, porloyneth, withdraweth, or receaveth any of the Queen's Majestie's Ordenaunce artillerie or other things concerning the buylding or any manner of weapon or harnes belonging to any manner of person or persons of the said retinue he so doing or therein found defective to suffer death.

Entrecomuning with the Scotts.

Also if there be any person of this garrison that intercomuneth with Scots borne other aliancis or any other rebells or traytors to the Queen our Souvereigne Ladie without especial license or by the comandment of the said Captain or ells under that intercomuning or license do they porloyn, steale or withdraw any Englishman through goodes he or they to be taken as traytors.

Persons indicted or abiured.

Also if there be any person of this towne that standeth indicted either of felonie or treason and hath not sued or purchased for himself the Queen our Souveraigne Ladie's Charter or ells if there be any person or persons within the same towne that have been abiured the Queen's Landes and re-enter it again without license of our souveraigne Ladie or the Captain, he or they so found defective to be put into bale and there to remain untill the Queen's most honorable pleasure be known therein.

* MSS. Lands, 155, p. 265.

Annoying of Scots or other aliants having safe-conducts.

Also if there be anie manner person or persons of this town or any other that cometh within the precinct of the same that troubleth, hurteth or annoyeth any Scotts person or any other aliants having the Queen's Our Souveraigne Ladie's safe-conduct or breaketh the Captain's assurance or doth any inurie or wrong to any victualls belonging to this town eithur by water or by lande otherwise than the law will, he or they so offending to be comytted unto warde and there to remayne untill such tyme and season as restitucon be made unto to the partie plaintiff to the double the value of the trespasse and futher to be punished at the pleasure of the said Captain.

Affraies at any of the gates or at the watch.

Also if there be any person that maketh any affraie at any of the gates of the said towne or at the watch hill at such tyme or season as the watch bell is ringing or the watch is setting or afterwards that night untill the watch bell be discharged in the morninge or ells slayeth or murdereth any person within this towne or within the *Scrie* of the watch uppon the walles of the same towne he or they so found culpable to die therefore or if any of the Scout watch, or stand watch or serch watch affraie one with another and yf there be any person of them slayne by another and yf there be any persons that take any partie in any of the said causes in this article comprised with any such offenders he or they to suffer persecution of death as is aforesaid.

The Penaltie in going from the wall after the watchword is given.

Also yf there be any man that cometh to the watch hill and is by the officers to watch and thereupon hath the watchword given him and then goeth from the wall or the watch bell be rung in the morning that person to suffer death.

Of Searchers passing between the stand-watch and the battlements of the wall.

Also yf there be any person of the stand watch that suffereth at any time the soldiers and searchers for to come between him and the battlements of the wall or ells suffer the said watch to come to the stand watch except the search speak the watchword first, said watch that are so found falitive and everie of them to be imprisoned dayes and loose a checke of xviijd. for the first time and for the second defaulte to have double punishment and pay such check aforesaid and never be suffered to watch more upon the walls, and yf any of the searchers presume to do the contrarie except it be upon a due consideration he or they so doing to have like punishment and paye the check and further to be at the pleasure of the Captain.

Departing of soldiers without license.

Also yf there be any soldier of this towne that taketh upon him to go out of this towne without license of the Captain and in his absence of the Marshall and tarrieth the space of one night or above or ells if he have license given him and have a sufficient person for Scrie and alarum and then tarrieth over that license at his own pleasure he so offending to lose for so many days double wage that he is retained unto.

The duties of soldiers in scourage.

Also yf any soldiers of the garrison be appointed to keep scourage or any such semblables as their course shall come about and yf they do not their duties as well in scourage of the dangerfull places within the boundes every man in his quarter as in keeping the horses of the garrison which shall be delivered unto them by a tale at the gates or ells before sufficient record and if they bringe not all these horses at a due hower in the evening within the said gates those persons searchers for to make good and paie unto the partie plaintiff the verie value of every such horse or horses by them losste ; and thereupon have an action in the Marshall's Court and further to be punished at the pleasure of the Captain.

Clark of the watch to see the watch of the walls truly guarded.

Also yf the Marshall and Clerke of the watch check any soldier of this garrison at the watch hill or at any other place to their office apperteyninge and then hire not one able watch for him or them so checked but suffereth the Queen's walles to be unwatched and such other charge to them comytted not truelie ministered contrarie to the suretie of this town he or they so offending to be put in sure warde and there to remayne untill the Queen's Majestie's pleasure be known.

Also yf the Clarkes of the watch do not call everie soldier by his owne name when his night is or shalbe to watch upon the day harriages or keeping of scourage or any such like commandements by the Captain but spare ther kinsmen or friends or any other persons for lucre or gaine whereby the other soldiers are or shalbe put to more busines, paine, and labour in that behalfe, that Clarke so doing to be comytted unto warde and forfete xxs. to the Queen's Bridge of this towne; and if annie offende two tymes in any of these points to loose his office and be punished at the Captain's pleasure.

Clerks to appoint soldiers to watch and warde indifferently without affectation.

Also yf the Clarke of the Watch or other person that is assyned to the captain for to attack and present all manner of pleas or attachments concerning the office of the Marshall's Courte and so withdrawe the benefit from the Queen and Captain in this behalfe, he or they so offending or doing for to have like punishment as is expressed or in the next act aforesaid.

Withdrawing of pleas to the Queen's hindrance.

Also yf any soldier or soldiers of garrison or other person within this towne or boundes of the same withstand the arrest or attachment of the Clarke of the watche or any other having the tipped staffe in the offices doing, he or they so offending to be comyted to warde by the space of viij dayes and to loose his roome what wages soever he be abled and further to be punished at the Captain's pleasure.

Obeying the Tippstave.

Also yf the yeomen porters at any of the gates of this towne be not dailie and hourelie present everie man abyding at such gate as he is charged with and keep the said gates cleanlie and honestlie so that the Queen's people be not noyed therby, that porter so found culpable for the first faulte to be imprisoned three dayes and the Captain to finde at the cost of that porter one able man for three days; and yf anie of them be founde faulte the second tyme for to have such like punishment and double, an yf he do it the thirde tyme he to loose his roome.

The yeomen porters to geve diligent attendance at the gates.

Also yf the said Porter do not duelie, dailie and nightlie shutt and sparre the gates and the wicketts of the town everie man within his charge and bring all and everie Keye and Keyes thereof and deliver them unto the Captain thereof at due tymes and accustomed; and in the morning if they fetch not the said Keyes from the said Captain, the said porter or porters to suffer death and the Master Porter to be comytted unto warde and there abide untill the Queen's Majestie's pleasure be known.

A Penaltie for shutting of the gates and safe deleverie of the Keyes.

Also yf anie of the said Porters take upon them for to license or suffer any Scottish borne person or other aliant to com within this town without they have the Queen's safe-conduct or Captain License for the first offence to be comytted to warde for the space of six dayes, and the Captain to finde at the said porter's charge and coste another able man in his room and if he do anything eftsoones he shall be put out of his office.

Scotts and other aliants not to enter the town without license.

Also yf any of the said porters take of any manner of person either money or money worth by way of Bribery for the daily residence or attendance giving at the said gates otherwise than of right hath been used and accustomed he to forfete unto the partie plaintiff for everie pennie so taken iiijd. and to be further at the pleasure of the Captain.

Taking Bribery at the Gates.

Also yf the porters shutt not the gates at everie Scrie and alarum that shall happen ere the dayelight or ells to be there presente for that intent and if any *escrie* or alarum fall upon the night yf they endeavour not themselves everie of them to go unto that gate wheras his chardg is or if any fodder, or carte lodes of straw, corne, thack, faggots, brooms, or any other gross thing such as may not well be seene through with man's eyes be suffered to come within the gates and be not by the porters well searched as appertaineth to such cause, they so offending to be executed.

To shutt the Gates at every allarum and to search all suspicious lodering as straw, faggot, etc.

Also yf any person comytteth indeede to counterfeite any Key of these Keyes that belonge to any of the gates, posternes, towers, or of anywhere place, or places whereas the Queen's ordinance or her artillerie lieth, he so offending to suffer death as a traytor.

Counterfeites of the Keyes of anie of the Gates.

Also yf any soldier of the garrison hath any prisoner and for favor, love, sufferance, or otherwise overseeth him and will not take his ransome openlie but privelie whereby the Captain is or shalbe defrauded of his thirds, or if any of the said garrison fortune to take any ennemie which is a gentleman of coat armor and yf he first present him not unto the said Captain, he or they otherwise doing for to loose their horses and their harnass and all their goods and their bodies to be at the Captain's pleasure.

Ransoming of prisoners openlie.

And if there be anie soldier or any other that hath any prisoner and killeth him or suffereth him to go openly within the town uppon the daylight without he hath of them great retinue for to wait upon him and if he tarie in the town by night and if he be not surely warded and kept in the porter's prison, he that otherwise findeth him to take him to his prison and his first taker to be quit and yet he to be punished and set in warde for the space of viij dayes.

Prisoners not to be killed or goe on the street without gard.

Also yf there be any soldier of this town or garrison that occupieth with his own hands any vile occupation or comonlie fishing for any white fish or salmon, he or they so doing for the first faulte to loose a check for xviijd. and for the second time iijs. iiijd. and for the third time vjs. viijd. to the Bridge of Barwick and for the fourth time to be put out of wages.

No soldier to use any vile occupation.

Also if there be any soldier of this garrison that is abled and admitted by the captain to take the Queen's wages and if they have not a iacket of the Queen's colour, white and green, and that to wear at all such seasons and tymes as he shall have summons from the said captaine, he or they having no such iacket and wear that for the first defaulte to loose three dayes wages and for one day to be imprisoned and for the second time to be dismissed out of wages.

Every soldier to have a jacket of white and green.

Also if there be any soldier of this garrison that either dice or card for any money or play at marbles but for beer, ale, or wine either by day or by night whether in the town as well the players as the owners of the said table, dice, or cards in whose house they play, they all so offending to be imprisoned by the space of three days and whatso they have lost everie pennie thereof that to be delivered into the hands of the said Captain by sufficient search as often as the cause shall require except it be within the twenty days of Christmas or ells at any of the gates of the said town or within water-houses or market-place or the towel bougheth of the same town, he or they that otherwise do, that money and everie pennie thereof to be employed by the Captain's command went to the use of the Queen's Bridge of the said town of Barwick.

No soldier to use dice or cards for money but at Christmas.

Also if there be any soldiers of this garrison that hold or have in their house or within any other man's house within the town any curr dogges or curr bitches over the feast of the exaltation of the holy cross next coming that soldier or soldiers for the first time to loose xijd. and that dog or bitch to be slain or drownd forthwith upon the taking and over that if any person of their persons keep or have any spaniell or grey hound or any kind of dogges and bitches going upon the streets in the daylight except they be handled or led in lyches or lyans or otherwise so there be no noyance found or proved unto any man in this towne the Master or the owner or any other receaving of any such dogg or bitch for the first faulte to loose iiijd. and his hounde unto the taker of him whatsoever price he be of; and if they use him not as is aforesaid he or they so found faultie to loose xijd. and their houndes to be taken from them, and if he be taken three tymes with such like faulte as well the person as the hounde and everie of them to be put out of this towne and moreover that all kind of dogges and bitches such as shalbe thought by the said Captain and Counsell of this towne that shall tarrie and be suffered to abide within the same that none of them be founde out of howses by night times upon paine of the Master and owner of them that receave them into their howses iiijs. ivd. for everie hounde for the first

The keeping of curr dogges or bitches.

tyme or if any such chaunce to be founde the secunde tyme to loose vjs. viijd for everie hounde and if the parties oversee themselves for the third tyme he to pay the said vjs. viijd. and his hounde to be taken from him and the money thereof coming to be employed to the Queen's Majestie's Bridge of Barwick.

The safe keeping of the ordenance.

Also yf the Master of the ordinance of this towne or any other that hath rule tharof under the Queene our Soueraigne Ladie and the Captain doe not endeavour them for the keeping of the same ordenance and everie peece and for the laying, staying, and abling of the best advantage, defence, and suretie of this towne, he or they that are soe founde faultie to be put out of his room or roomes and further to be punished at the pleasure of the Captain.

None to be retayned to the ordenance untill he be abled by the Captain.

Also if any person or persons of the ordenance take upon him to retaine or take into wages any person unless he be admitted and abled by the captaine that person to have no wages for the service.

Soldiers appointed for the daye watch to do their dutie.

Also if soldiers that are assigned to keepe the dayes watch of the towne do not their dutie viz., he be not in place from the watch bell ring in the morning unto the tyme yt ringe at night and if he escrie not and warn them of the garrison with the larum bell for everie shippe and other vessel that shall fortune to come within sight by man's reason before the roade and to sett forth the banner towards what part any shipp or vessel so coming and also to geve warning for everie person that cometh within the boundes of Barwick either on horsebacke or on foote and if he faile thus to do to have his heade strucken of at the market crosse.

Imbeselling the furniture of the ordenance.

Also if any person of the ordenance do embezzle, sell, or withdraw anie parcell or parcells of the same he or they so offending to die for that defaulte.

Horsemen and archers to have horses and all other furniture of their owne.

Also if any soldier that now is or hereafter shall be abled by the captain to be in horseman wages and if he have not able horses of his own and his harneys and able weapons of his owne without borrowing, and likewise if any archers such as have wages for the use and if they have not able bowe or bowestring, arrowes, and such other things according to his intertainment and his harneys and other defence for him convenient and over that if any footeman or man of ordenance within this garrison that now is or hereafter shall be, if they have not able weapons and harneys and other defence without borrowing as well the horsemen, the footmen, the archers, and the men of ordenance or any of them so founden faultie at any tyme of musters or other tymes requisit, they to be put out of wages and further to be punished at the Captain's pleasure.

No soldier or other to steale any weapon upon paine, etc.

And yf any soldier or any other steale, purloyne, or withdrawe any other soldier's weapons or any other weapon from any person of this town from any manner of place within the same town or the boundes thereof of that person effective to remain viij dayes in prison and to pay vs. for the weapon unto the partie plaintiff, and over that to be banished the town and any, persons that are consenting, inticers or abeyders unto any such stealing there to remain in prison xx daies and pay xs. and over that to be banished the town.

No liverie of cognisance to be worn in this towne but the Queen's.

Also yf there be any soldier that presumeth to wear in this town any liverie or cognisance but the Queen's our souveraigne Ladie's and the said Captain's without special license he or they so doing to loose the said liverie and to be discharged of his roome and further to be punished at the pleasure of the Captain.

No soldier ought to be in the street without a bill or an axe.

Also yf any soldier walk or be found in the streate at any tyme or to the Church or market or from thence or if he bear not a bill nor an axe, he or they so found faultie for the first time to loose iiijd. the second time viijd. the third tyme xijd. and the fourth tyme to be put out of wages.

No soldier may mawe any grass in the Boundes.

Also yf any soldier take upon him to mawe or cause to be mawed any grass within the boundes of the town without it be to him permitted by the Captain or counsell of the same he or they so offending to loose the said grass and for the presumption thereof to be three dayes in prison and if he be eftsoones found in such like fault for to loose his grasse and his roome and what wages whatsoever he be abled unto.

The quarter Masters to do their dutie.

Also yf the quarter master of bootie or any of them or any other petty captain or any other person chosen by the Captain of their garrison either in hosting, forreying upon the Queen's enemies, if he or they so having charged to guide doe not dailie and treulie convegh the said persons and everie of them in their forthgoing, tarrying, seiourning, and returning, and home-coming, and in geving and distributing without of any manner of deceit into everie man, all such persons and goodes as they shall fortune to winne, he or they so doing, to loose their parte of the bootie and further to be punished at the Captain's pleasure.

Soldiers in hosting to be defensible arrayed.

Also if there be any soldiers of this garrison that fortune to ride in hosting upon the Queen's enemies and if he be not defensible arraied as his time requireth, he shall have but child's part of bootie and the pettie captaine Quarter Master shall put his dealings in that behalf unto the captain whereupon he or they so found defective to loose his horse and harness to the captaine.

No enterprise upon the enemy without privete of the captaine.

Also if any of this garrison presume to ride or go upon any enimies or enterprize either by sea or by land without he show his purposes before the captaine he or they so offending for to be imprisoned there to tarry the captaine's pleasure.

A penalty if the stand watch be found sleeping or out of his ward.

Also if any person that is admitted by the Marshall or the Clark of the watch to be searched or searchers and if he or they do not their true dilegence in searching of the said watch upon the walls and in speaking to the front watch and also search the ditch without the walls and within the towne walls and towers and gates of the same as he ought to do and as he shall be chardged with the same, or ells if any searchers find any watch man asleep and out of their ward and then for love, favour or money, suffereth him to escape by any subtill means, and if any of the searchers come within the town after he or they have the watchword given unto them and they come not incontinent to the watch-house as soone as they have felt the word to them assigned and there tarry till the watch bell ring in the morning except it be at such time and season as there course is to go about or if any of them would go about the walls except he have his fellow with him, or if it fortune that any affair, escrie or alarm be upon the walls by night in any quarter thereof, and if any searcher or searchers make not his due half and go unto the warde which he did felt so in as much as in him shall be possible to withstand the danger thereof and the watchbell in one quarter to be rung for to give warning to them within the town and in what quarter that bell continue to be longe runge and the other bells to cease at the discretion of the searchers and if any of them are themselves otherwise, they to be put out of wages and further to be punished at the pleasure of the captain.

The searchers of the stande watch to do there dutie in searching.

And also if any person that is admitted or shall be assigned to the Clark of the watch and so by the searche to be of stand watch within the walls and then if he be found at any time after he hath the watchword and place assigned unto him out of the said warde or ells if he be founde asleep, for the first defaulte to forfeit xs. whereof iiijd. to them that take him and vid. to the Marshall and to sitt in prison three days and if he be found three times or ells if he make an escrie or warning otherwise than he ought to doe through which his fellow that by likelyhood should be taken asleep by any of the search watch might have knowledge and warning thereby he to be punished for the first faulte to loose a check of xviijd. and three dayes imprisonment and for the second faulte as well the sleeper as the scrier they both to be put over where they made the saide defaulte and sett into basketts and a canne of drink in their hands and they or he to tarrie unto the time the rope be cutt and go to redeem themselves.

Whoso hath the rule of the watch bell to do his dutie.

Also if there be any soldier that hath rule of the watch bell and if he make not his due haste and come to the church and strike a generale larum at all such times as the said cause shall chance or require by night, he so offending to suffer death.

No Scottish born person be of this Garrison.

Also if any Scottish born person, chartered or unchartered, present themselves for to be soldiers of this garrison or take upon them to be of the stand watch, search watch, front watch, or harrage or scourage or other dutie that calls upon him or them for to come upon the town walls by night or the ditches of the same, he or they so founde or taken to be put to death as traytors.

The Scout watch to do their dutie in all things.

Also if any of these persons that be admytted to the Scout watch do not their dutie in going and searching under the walls without the ditch of the town and other places need fall to them lymtted or ells if they be not searching or speaking at all times when the said watch that are upon the walls call upon them, he or they so are found faultie to loose a check for xd. for the first faulte and to be imprisoned three dayes and for the second faulte to loose xxd. and be punished at the pleasure of the Captain.

Constables likewise to do their duties.

Also if the viij constables of the fower wardes keepe not their search to them lymtted by the captain and endeavored not themselves to keepe good rules and see that they kept everie man within his warde and to cause soldiers that are to them assigned by the captaine to come upon the walles to know their places and see them sufficiently stored everie soldier for his part, viz., the bughte of the saide word upon the Allie and upon the battlements and loopes of the same, the constable so found faulte to be put out of wages and if any soldier that is warde under any of the said constables come not to his ward to him assigned at everie escrie and alarum as well by day and by night and then tarie and remain until the tyme that he be otherwise commanded by the captain and that soldier to be put owt of wages and to be punished at the pleasure of the captaine.

Soldiers of the relief to be attendant on the Captaine.

Also if any soldiers that are assigned to be of the relief and not warded upon the walls and if they be not readie and attendant at all tymes requisit and needful to wait upon the captain as such persons as he has deputed it to, he or they so offending to be put out of wages and to be punished at the pleasure of the captain.

No soldier to come into the town walls suspiciously by night without the watchword.

Also if any soldier come upon the town walls by night or unto any of the stand watch, scout watch or search watch or nigh unto the wall or within the ditches suspiciously without the watchword, he so offending to be taken and comytted to warde by the space of viij days and further at the captain's pleasure.

No English may lead a stranger upon the walls.

Also if an English man lead any Scottish man or other aliant upon the walls of the said town by day or upon the dykes, he for his so conducting to loose all his goodes and to be banished the towne for ever and if he do any such by night he to be taken as a traitor.

None may go over the town walls or measure the length or depth or breadth thereof deceitfully.

Also if there be any person that goeth over the town walls or leapeth over or climbeth upon it by ladder, rope, or any other subtill means either in going out or coming in to the town by day or night or that measureth by any deceitful means the deepness of the walls of the towne or the widnes or breadth thereof or caste any stone of the wall in the ditches or other filth or annoyance, or that carieth any stones for the said walls to any his use, that person or persons so doing to be comytted unto ward and further to abide the correction and punishment of the saide captaine.

NEWE ORDERS* FOR THE TOWN OF BARWICK AND THE GARRISON OF THE SAME, SIGNED BY THE QUEEN 1ST OCT. ANNO 1560 REGNI SECUNDO.

Forasmuch as we doe certainly understand that our town of Barwick at this presente daie is in verie evill estate by reason the auntient laws and orders thereof be neglected and for also that our garrison ther is at the presente a far greater than ever was indeede or ever meante upon the making of the first auntient laws We have thought it necessarie for the presente to declare or meaning howe the same may in some points be remedied untill the tyme that the fortifications thereof may be fully finished and a garrison ther established to continue perpetually in the same.

First we will that the former statutes and orders which of auncient tyme have been diuised for the goode guard and suretie thereof shall stande and be in their full force, saveing in some such points as shall be contrarie to any article now at this presente by us in their orders hereafter mentioned. And for the better strength of the said auncient orders we have caused a transcripte of the same to be made and signed with or hands which or pleasure is shall be made and published by order of or governor of Barwick in such convenient places to all or Garrison and other of or Town as soon as it convenientlie may, that every soldier of the same towne may distinctlie heare the same and after that everie quarter of the yeare once, three days before the paies and at the same tyme also or pleasure in their new orders shalbe in like manner distinctlie read and published.

Because the foundation of all worldly strengthe is to be laide and established wth the feare and service of Almighty God wout which except the Lord God kepe the cittie and build yt all force of armes, strengths, and riches be but vaine and as dailie is seen and perceaved where yt pleaseth Almighty God contrarie to men's purposes to confounde strong towers, castles, and great armies by sundries casualties. It is most necessarie that all or people as well men of warre as of peace residing win that town do live in due service and feare of God and so consequentlie from tyme to tyme exercise all good feates of warre for the defence thereof. And because we will that the Church and place of Divine Service win the sd town being now desolated shall be repaired by the surveyor of the works and kept and preserved to the use onelie of praier, ministracon of sacraments, and preachinge of God's worde and no other prophane use. And furthermore that all such divine service be used therein as is agreeable to the canon order established in our Realme and for maintenance of ministers in the same, we have declared our pleasure to Mr. Treasurer there by writing signed by our hands, how the same shall be maintained and paid which we will or Governor there to see of all parties executed. And further we will that or Governor and all principall officers doe resorte to the same church orderlie, morning and eveninge, at least everie hollie daie and Sondaie. And because the multitude of our soldiers is such as the churche there, being verie small, cannot contain the same at one tyme neither is yt fitt that our gates, walles, and bullwarkes to be left ungarded and unfurnished, or pleasure is that or Governor and or Counsell there shall, upon a good perfect muster, make such a certain distribution of all our bandes and soldiers, as well extraordinarie as ordinarie, so that as many of the same either by whole bandes or parcell of bandes as may at least once a weake come and remaine in the church during the tyme of Divine Service both morning and evening in such sorte as having comon praier upon the Wensdaie, Fridaie and Sondaie besides other holiedayes there may not be a soldier or other person having paie of us in the town but that at the least once in xiiij or xvi dayes he may be appointed and known to come to the church morning and evening to abide and heare Divine Service and whensoever any sermon shall happen to be which we wold to be once everie moneth that none of all our Garrison being win the town saving such as, at that said present tyme, shall have chardg to attende in and wait in and about any part of or sd towne for defence or attendance there be absent from the sd sermons under paine to be checked or abaited of

* MSS. Lands, 155, p. 274.

three dayes wages which our Treasurer shall retaine and paie in this sorte the some of two dayes wages to the poor man's box in the churche and the thirde to him that shall detect the offence which manner of pay shall also be afflicted upon them that shall be absent from Divine Service in the church contrary to the order to be taken as is aforesaid by the Governor and the Councell and for the furtherance of the Service of God and the better more frequent accesse of or soldiers to the church we remytt it to be in other poyntes considered and ordered by or Governor and Councell wth the advice of the Curate or preacher of the ordinance of the Diocese.

Item, for the preservation and good governance of the same towne we will that these be the officers following:

First, One Governor of the same towne and marches who shall also be Or Warden of Or East Marches for the presente, one High Marshall, one Treasurer and Porter with fower officers shall be or Councillors for the governance and order of that towne and our said Governor shall have authoritie from tyme to tyme to call and assemble them and in difficult causes to call unto him any other wise men either from the same town or in the marches thereof onlie to give advice but not to be accepted as our councillor of that town and because the Chamberlayne is yet not seen requisit to contynue our pleasure is that the Treasurer shall occupie that roome in causes requisit.

No soldier to be a freeholder or handicrafts-man, etc.

Also there shall noe captain nor soldier hereafter appointed win that towne or garrison have any freehold win that town, nor that shall be born win the counties of Northumberland, Cumberland or Westmoreland, or the Bishoprick of Duresme, neither shall any of the same exercise any handicraft win that towne except he be a burgess, or flescher, or maker of hand gunnes or other instruments for war.

No soldier to take double pay save at the fortifica-tions.

Also no soldier win that towne shall take by any means double wages of the Queen's Majestie, and if it be proved that any soldier so dothe he shall lose as is due unto him for that tyme, whereof the half shall be given unto him that shall inform and prove the same, and the other half to be given by the Governor and Treasurer among the poor soldiers of the same town, and shall farther lose his armour and be banished the town, saving it shall be lawful for the soldiers to take taske work fortifications so as the same be noted by Surveyor of the workes to the Treasurer and Clerk of the check.

No soldier shall misbehave.

Also noe soldier shall be suffered to kepe any other man's wife or concubine but upon any vehement presumption he shall be discharged by the Governor and put out of the towne.

Fraies and drawing of blood and punishment thereon.

Also for avoiding of fraies and combatts whosoever smiteth any other with his hande or draweth any manner of weapon to smite any other the same shall be comytted unto prison for eight daies and more as the Governor of the towne shall think meet, and whoso draweth bloode shall have xx daies imprisonment and the weapon forfeited to the Marshall and shall be checke xx daies wages, whereof the one half to us and the other half to the Marshall, and if any mayme grow by the said bloodshed that partie shall remaine until the amends be according to the laws of this realme.

No combats or campes to be used by co-mon soldier.

Also because the manner of fighting called combats or campes have not been vsed but for triall of matters before princes we do prohibit all such manner of combats to be covenanted or made of any person of what estate soever they be win that towne wout our special license upon paine to be banished the towne forthwith and to lose all his wages due.

No officer to be disturbed in his duty.

Also if any person shall disturb or let any officer in that towne in executing his office after the said officer shall have warned the partie in or name to obaie him, the same to be taken as a rebel and to be comytted unto prison untill our pleasure be known and determined.

Also we charge and command that no manner of person other than the Governor of the town and the councillor or captain of bandes in company of the said councillors play at dice nor that the owner of any house permitt the same wout complaynt to the Governor upon pain of imprisonment three dayes and longer as the governor shall think fitt.

No playing at dice.

Also that no manner of soldier or person walk in the night after tenn of the clock from our Ladie daie to Michelmes and after eight of the clock from Michelmes to our Ladie daie except the watches and officers that be ordained to serve the towne neither make any whistling, crying, shouting, or other unfitting noise in the night after the said hour.

Appendix V.

GENERAL SURVEY OF BERWICK IN REIGN OF ELIZABETH, 1562.

LORD GREY OF WILTON, Governor; VALENTYNE BROWN, Treasurer and Victualler; THOMAS JENNYSON, Controller; THOMAS BATES, Supervisor; ROGER MAINWARING, Customer.

We have in this Survey the names of the streets, a list of the owners of all the properties in this year, with the Burgh Mail rents payable by each property, along with the chantries then existing in the town. The Survey, unfortunately, is not quite complete. One or two leaves of the Enrolment Book, in which it is entered, have been lost.

BRIGGATE NORTH.

	Per Year. s.	d.		Per Year. s.	d.		Per Year. s.	d.
Robert Wattsone hold one tenement	0	6	Alison Brown	0	6	Roger Witherington	0	6
Jannett Paupertt	1	6	Nicholas Coulteherd	3	6	Ravensdale, late a chappell	0	0
Henry Swynno	0	6	John Barrowe	0	6	George Robinsoune	1	6
William Mortton	0	6	Lyonell Thompson	0	6	John Burrell	0	6
Oliver Selby	0	6	Leonarde Mackerell	2	6			
			Robartt Coycke	0	6			

BRIGGATE SOUTH.

	s.	d.		s.	d.		s.	d.
Thomas Bredforth	0	6	Cristofer Saunders	0	6	William Simpson	0	6
" "	0	6	Margaratt Hewme	3	10	Richard Lewes	0	6
Raffe Fferror	0	6	Thomas Mourton	0	0	Robartt Bredforth	0	6
Robartt Scott	0	6	Thomas Burrell	0	6	Thomas Jacksoune	3	6
Robartt Burges	0	6	Thomas Bouringe	0	6	Raphe Smith	3	4
Rowland Burrell	0	6	William Cotchaine	0	6	Oliver More	0	6
Roger Witherington	3	4	Thomas Thompson	0	6			

HYDEGAT NORTH (SILVER STREET).

	s.	d.		s.	d.		s.	d.
Matthew Browne*	8	6	Cuthbert Johnsoun	0	3	John Barrowe	0	6
Isabell Gascon	0	6	Jennett Pawpertt	0	6	Wm. Walker	0	3

HIDGAT SOUTH.

	s.	d.		s.	d.		s.	d.
John Selby	0	6	Leonard Ffoster	0	6	John Barrowe	0	3
Raphe Lawrence	0	6	Cuthbert Johnsoun	0	6			

* This sum is made up of a chantry of the value of 8s., and 'Borrowmeal' rent 6d.

Crossgate South (Woolmarket).

	Per Year. s.	d.
John Smythe	0	6
Constance Burrell	0	6
Wm. Harriode	0	6
Wm. Harriode	0	6
Wm. Harrawlde		
James Richardsoun	3	0
Isabell Richardsoune	2	0
Symon Burrell	0	6
John Horsley (not entered)		
Matthew Beck (under age)		

Crossgate North.

	s.	d.
John Barrowe	2	0
John Ourde	0	6
John Smarte*	7	2
John Ourde	2	2
John Ourde	0	6
George Dunken	0	3
John Ourdet	7	2
John Smarte	2	6
John Talloure	0	6
Davyde Knighte	0	6
Thomas Jacksoune	0	6
John Harrawlde	0	3

Hide Hill West.

	s.	d.
John A. Barrowe	0	6
Anne Selby	0	6
Jane Brown	0	6
James Richardsoun	0	6
John Craforde	0	6
Thomas and George Mourton	2	8
Matthewe Mackerell‡	20	0
Raffe Swynno	0	6
Thomas Browne	0	6

Hide Hill Estr.

	s.	d.
Constance Burrell§	nihil	
Thomas Morton	0	6
Thomas Clerke	0	6
John Shotton	0	6
John Denton	0	6
Edwarde Lacine	0	6
John Clerke	0	6
Thomas Pygge	0	6

Ratten Raw Est.

	s.	d.
John Scott	0	6
Thomas Smythe	0	6
Thomas Johnsoun	0	6
" "	0	6
" "	0	6
Roberte Waker	0	6
Wm. Richardsonne	0	6
William Harrawde		
Robert Jacksoune	0	1
Nicholas Bigge	0	1
Anthony Benedic	0	1
Raphe Ffinche	0	6
Cuthbert Browne	1	0
John Grenehide	0	6
Raffe Rivelly	0	6
Roger Willoughby	0	6
William Easton		
James Richardsonne	0	6
Alexr. Ricaby	0	6
James Goff	0	6
Wm. Grene	0	1
Barbara Bradforth	0	1
John and William Harrawde	0	6
Edwarde Robinsonne	0	6
John Richardsonne	0	6
Seven others (no name nor money).		

Ratten Raw West is not entered at all; probably at this time there were no houses on that side of the street. (Vide map in text of that time.)

Grenes Westr.

	s.	d.
Cuthbert Coyke	0	6
Roger Strother	0	6
Thomas Bennett	0	6
Robert Whitton	0	6
Edwarde Scattergood	0	6
Raffe Hoggearde	0	6
Nicholas Estmore	0	6
William Nodder	0	6
Edmonde Bell	0	6
Thomas Thompson	0	6
William Saunderson	0	6
Katherine Ffoster	0	6
George Lyndesey	0	6
Elizabeth Storye	0	6
Widdow Milne	0	6
George Buttock	0	6
William Woode	0	6
John Shaftoe	0	6
Symon Whyte	0	6
Edwarde Robinsonne	0	6

There is a folio lost here.

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* 6s. 8d. to Chauntrie of Saint Katherine in Berwick and 6d. to the Queen. This house was purchased of Richard Heringe, Chauntry preste.

† 6s. 8d. to Church of Holy Trinity. ‡ No explanation is given of this large sum.

§ This tenement was 17 yards each way; on which a tower called Burrell's Tower, which is taken down for that the old rampier was appointed to be made in its place.

Westerlane Este.

	Per Year. s.	d.		Per Year. s.	d.		Per Year. s.	d.
John Archer	5	6	John Browne	0	6	Henry Manners	0	6
Isabell Taylor	0	6	George Taylor	3	4			

Westerlane Weste.

	s.	d.		s.	d.		s.	d.
John Southe	0	6	John Ourde	1	6	Raffe Fferror	0	6
Gennett Brickett	0	6	Jamys Pawline	0	6	John Ourde	0	12
Thomas Lordesman	0	6						

Windemilhoole (Tweed St.).

	s.	d.		s.	d.		s.	d.
Thomas Baldwyn	0	6	Jane Gerom	0	6	John Lucas	0	6
Adam Sawyer	0	6	Robert Routlath	0	6	James Rowtles, Robert Rede	0	6
Stephan Etheringtoune	0	6	Richarde Townsende	0	6	John Doychyne*	0	6
John Evors	0	6	Anthony Fenwicke	0	6	John Tailor	0	6
Wydowe Donne	0	6	Christoner Potts	0	6	Wm. Rooke	0	6
Thomas Storye	0	6	Morris Peers	0	6	George Alisoune	0	6
William Musgrave	0	6	" "	0	6	Thomas Ritche	0	6
			Wm. Dicksoune	0	6			

The Lord Governor holdeth at will one little House theare conteyninge so much and used as a Slaughter House for the Castle, £10.

Sandgegate West.

	s.	d.		s.	d.		s.	d.
Henry Watsoune	0	6	John Broune	0	6	William Cock	0	6
Jennett Pawpert	0	6	Rafe Ferror‡	3	4	Thomas Moreton	(?)0	5
Thomas Wales	0	6	William Neale‡	3	10	John Barrowe	10	0
Thomas Jennyson, Controller†	nil.		Jerome Gardener	0	6	Thos. Bradforth‡	3	10
			John Craforde	0	6			

Sandegate Este.

	s.	d.		s.	d.		s.	d.
Isabell Gardiner	0	12	Thomas Moreton	0	6	Mathew Blackwell	0	6
Thomas Prince	0	6	Thomas Ffoster	0	0	Mathewe Browne	0	6

Wallis Grene.

	s.	d.		s.	d.		s.	d.
Elizabeth Parishe			Richard Wraie			William Bonny	0	6
Lyonell Corbet			William Thompsonne	0	6			

Esterlane Weste.

	s.	d.		s.	d.		s.	d.
Barbara Maxwell	0	6	John Wrighte	0	6	Margarett Selbie	0	6
Wm. Morton	0	6	Raphe Harrison	0	6	Thomas Wallis	0	6

Esterlane at. Gamslane Easte.

	s.	d.		s.	d.		s.	d.
Gawen Dawson			James Robinsonne	0	6	Thomas Peersonne	0	6

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* He hath builded a cappine upon it and paieth the preferment.

† He holdeth ther one parcell of her Mate Pallice, 43 yds. long and 13 broad. In which is one of her Majesty's storehouses and 5 smiths' forges and his own dwelling-house.

‡ 3s. 4d. to late Chauntree in Trinity Church.

The Ness.

	Per Year. s.	d.		Per Year. s.	d.		Per Year. s.	d.
Robert Howtell	0	6	Wm. Barrowe			Thomas Rosse		—
John Craforde	0	6	Gawen Blackeline	0	6	Wm. Gibsonne	0	6
Mathewe Moreton	0	6	John Mathe	0	6	Raffe Hewtonne	0	6
Nicholas Ricabie	0	6	Richarde Rooke	0	6	Mathewe Blackewell	0	6
Barbara Bradforth	0	6	James Gresham / Agnes Moreton	0	6	Thomas Moreton	0	6
John Carter	0	6				,, ,,	0	0
Alexr Recabie	0	6	Thomas Joyner	1	8	Henrie Kendeldon	nl.	
— Foster		—	Wm. Rede		—	Margt Fairely		—
Wm. Gibsonne	0	6	Stephen Beste	nl.		Thos. Grey (new rent)	5	0
Wm. Braddie	0	6	John Barrowe	0	6	Isabell Squire		
John Barrowe	0	6	William Gibsonne	0	6	Walter Wharton	0	6
John Craforth	0	6	Cuthberte Johnson	0	6	William Jelison	0	6
George Walker	0	6	Jennett Todd	0	6	Harrie Johnsonne	0	6
John Humble	0	6	Wm. Powell	0	6	John Phettice	3	4
John Selbie	0	6	Edward Jacksonne	0	6	Roger Wetherington*	3	4
,, ,,	0	6	Roger Colston	0	6	Raffe Lawrence		—
Roger Stephenson	0	6	Isabell Gardener	0	6	Isabell Harrison	0	6

Soutergate West (Church St.).

	s.	d.		s.	d.		s.	d.
Gilbert Robinsonne	0	6	Clement Hoode / George Harrison	0	6	Anthony Anderson and Johan his wife	0	6
Cuthberte Swynno	0	6						
Robert Ledehame	0	6	Margaret Johnson	2	2	Robert Raye	0	6
Alice Haggerston	0	6	John Osborne	3	6	Wm. Graine	0	6
Wm. Fairly	0	6				John Tyndall	0	6

Our Soveraigne Ladie the Queene hath one stable there occupied by her Majesty's officers of her works, worth £4 per annum.

Soutergate Este.

	s.	d.		s.	d.		s.	d.
Symonde Bowker	0	6	Anthony Temple Maior	0	6	John Cutler	0	6
Robert Lowther	0	6	Thomas Carre	3	6	Elizabeth Parish	0	6
Thomas Haggerston†	0	6	Margarett Gray	20	0	Raffe Rogerson	0	6
Clement Hoode / Anthony Little	0	6	George Alisoune	0	6	Henry Page	0	6
			Richard Wraie	0	6	Mathewe Blackwell	0	6
George Chamber	0	6	Cuthbert Preston	0	6	John Ourde	0	6
Roger Carie‡	3	10	Thomas Adamsonne	0	6	,, ,,	0	6

Walkergate without the Rampier.

George Bullock holdeth one tenement lying without the Rampier near to the old churchyard, 6d.

	s.	d.		s.	d.		s.	d.
George Bullock	0	6	James Richardsonne	0	6	Thos. Clerke	0	6
Thomas Harper	0	6						

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* It was parcell of the late Frieries of the Ness.

† 'Lyonell Haggerston in the 4th year of her Majesty's reign, 1561-2, at Barwick win the precincte of the towne and libertie of Barwick, with one knyfe price ijd. which the same Lyonell in his hande then and theare hadde, the throte of him selfe the same Lyonell then and there fellonyouslie did cutte, the same Lyonell then and there instantlie died, contrarie to the Queen's Majesty's peace, her crown and dignity, and that the same Lyonell the time of the fellonie aforesaid by him in form aforesaid committed was seized of the said Burgage, etc., in Fee simple.'

‡ 3s. 4d. Chauntrie land of Trinity Church.

Walkergate South.

	Per Year. s.	d.
Robert Trombull	0	6
John Jacksonne	nl.	
Henrie Chamberlaine	0	6
Rafe Chamberlaine ½ tent	0	3
Roger Burrell, ½ tenement	0	0
John Creke	0	6
Edwarde Browne	nihil	
Richard Smyth	0	6
Thomas Archer	0	6
Jennet Tailor	0	6

Walkergate North.

	s.	d.
Roger Burrell	nl.	
Thomas Rose	0	6
Raffe Chamberlaine, ½ tent	0	6
Roberte Ricabie, ½ tent		
Herrie Raie	0	6
Robert Wharcoppe	0	6
Thomas Nelsonne	0	6
George Wilson	3	0
Roberte Sneynton	0	6
John Ritchson, one parte; William Wilsonne,* other parte	5	6
Herrie Johnsonne	0	6

Walkergate Weste.

	s.	d.
John Ritchsonne	3	6
Wm. Harrisonn	0	6
Richarde Cheseman	0	6
Thos. Ritchsonne	0	6
Herry Raye	0	6
William Thompson	0	6
Rowland Gall	0	6
John Boulton	0	6
John Ritchsonne	0	6
Grace Brown	0	6
Richarde Chapmanne	3	4
John Chamber†	7	2
Robert Atcheson	0	6
Thomas Davison	0	6
Rowland Gall	0	6
Isabell Foster‡	0	6
Walter Ellis	0	6
John Harberte	0	6
John Syde	0	6
Michaell Abram	0	6
Oliver Jenkinson	0	6
George Palmer	0	6
William Rede	0	6
Olyver Selbie‡	7	2
Olyver Selbie	nl.	
Rafe Wilson and Charles Rede	0	3
James Watson	0	6
Roberte Ricabie	0	6

Martgate North.

	s.	d.
Isabell Yonge	0	6
James Meers	0	6
George Mackerell	0	6
George Bullock	0	6
Richard Smyth	0	6
Thomas Jackson	0	6
Olyver Selbie‖	7	2
George Tailor	0	6
„ „	0	6
William Browne	0	6
Richard Smyth	0	6
John Shotton	0	6
Rowlande Johnsone	0	6
John Shotton¶	3	0
Marten Sheel, ½ tent; Roger Burrell, ½ tent	0	6
John Shotten	0	6
John Chamber**	7	2
Olyver Selbie (waste)		
George Saunders	0	6
Roger Colston	0	6
Wm. Cock	0	6
Bartram Cook	0	6
Marten Garnett††	10	0
Alison Grene	0	6
Raphe Stephenson	0	6
Sir Wm. Brown, Clerke	1	0
Raffe Wilsonne	nl.	

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* Wilson holds it as heire and brother of Thos. Wilson, late Chauntrie Preste of the late Chauntrye of Our Lady and St. Katherynes of Berwick.

† 6s. 8d. payable for the rent of the late Chauntre of St. Katharine added in Trinitie.

‡ As heir of Wm. Marshall, Chauntrye Preste of Holy Trinity.

§ 6s. 8d. payable for the rent of the late Chauntre of our Blessed Ladie Marie the Virginne.

‖ 6s. 8d. to Chauntree of Lady Mary in Trinitie Church.

¶ 2s. per year for the Maison dew to the Queen.

** 6s. 8d. to late Chauntrie of St Katheryne in Trinitie Churche.

†† Parcell of Ritchmondes Landes as a grant from the Queen upon condition he built a two storey House upon it and kept it up.

Marygate South.

	Per Year. s.	d.
George Browne	0	6
John Selbie*	20	0
Richard Brown	0	6
John Browne	3	10
Wm. Shell	0	6
John Denton	0	6
Roger Wetherington	0	6
Rafe Shell	0	6
Jennet Pawpert	0	6
Wm. Herrison	0	6
John Shotton	0	6
Gregorie Burdett†	0	6
Thomas Sanderson	0	6
William Wallis	0	6
Robert Jerrarde	0	6
George Peerson	0	6
Elizth Selbie	0	6
William Barrowe	0	6
Roberte Storie	0	6
John Craforde	0	6
John Shotten	0	6
Elizth Marten	0	6
Isabell Mylne	0	6
Isabell Younge	0	6
John Ourde	0	6
Herrie Lorymer	0	6
Richarde Clerke	0	6
John Dickeman	0	6
Jane Hethericke	0	6
John Barrow	0	6

Castelgate South.

	s.	d.
Oswald Ogle	0	6
John Craforde	0	6
Jennet Thirbar	0	6
Lyonell Corbett	0	6
William Dickensonne	1	0
Margaret Maxwell	0	6
George Bullock	0	6
John Wheldale	0	6
George Huntington	1	0
William Gibson	1	0
John Lawther } John Carre }	0	6
Thomas Jowey	0	6
Margt Whitecock	0	6
Thomas Smyth	0	6
Mathewe Mackarell	0	6
Thomas Creke	0	6
John Hubston	1	0
John Ritcheson	nl.	
Eliz. Clifton	0	6
Thomas Ritcheson	0	6
„ „	0	6

Castelgate North.

	s.	d.
Henry Browne	1	0
Thomas Clerk	0	3
Thomas Still	0	6
John Crafurde	0	6
Wm. Gibsonne	0	6
Robert Thewe	6	8
Robert Carre	0	6
Mathewe Gibbons	0	6
Cristopher Pottes	0	6
Raffe Lewis‡	3	10
Thomas Corbett	0	6
Thomas Sowden	0	6
John Homble	0	6
Edwarde Woode	6	8
„ „	nl.	
Henrie Hardye	nl.	
John Selbie	0	9

Wallis Grene.

	s.	d.
Cuthbert Bullock	0	6
Eliz. Beck	0	6
Richard Hatherick	0	6
Elizth Morton	0	6
Thomas Ferror	0	6

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* 20s. to the Queen in the right of Our Ladie in Trynitie Church.

† 3s. to the Chauntrie of St. Katheryne.

‡ 3s. 4d. for the Masondewe.

Appendix VI.

A new establishment* and order made by the Queenes Most Excellent Majestie, as well of all manner of officers, captains and souldiers that shalbe of thordinary garisons and crewes win the saide towne and other holde in the parts nerethereunto, as also of the dailie and yerely dyetts, wags, and enterteignements of the same during her highnes pleasure. The same to take place and begynnynge from the feastes of Mighelmes last as followeth, viz. :

	£	s.	d.	£	s.	d.
The Lord Governor of the town himself	133	6	8			
One chaplyn, per annum	13	6	8			
One Secretary, „	13	6	8			
40 household servaunt after £6 13s. 4d. per pece per an.	266	13	4			
Espiall Money, per an.	40	0	0			
Reward granted by the Queen for his Barony	200	0	0			
				666	13	4
The same being also Lord Warden of theste Marches for himself	400	0	0			
2 Deputies Wardens	20	0	0			
2 land servants	4	0	0			
				424	0	0
Cancelled here for that the sume is payable in the Exchequer by Patents.						
The Marshall himself per an.	33	6	8			
One Vnder Marshall	16	0	0			
20 horsemen £6 13s. 4d. each	133	6	8			
2 Tipstaves £5 6s. 8d. ea.	10	13	4			
For an increase given by the Queen	66	13	4			
				260	0	0
The Treasurer himself per an.	20	0	0			
Two clerks £13s. 6s. 8d. le pece	26	13	4			
Twenty horsemen at £6 13s. 4d.	133	6	8			
Increase given by Her Majestie	80	0	0			
				260	0	0
The Gentleman Porter himself	20	0	0			
Six horsemen at £6 13s. 4d. each	40	0	0			
Fourteen footmen at £5 6s. 8d.	74	13	4			
An Increase given by her Majestie	50	0	0			
				184	13	4
Sir Frances Russell, Knighte, Chamberleyn of the same town by letters patent for life, dated Oct. 20, 17th yere of her reign	20	0	0			
Twelve souldiers; viz., four at £6 13s. 4d.	26	13	4			
eight at £6	48	0	0			
				94	13	4

* 1 State Coll. MSS. Harl. 151 fol. I., 20 June, 1576.

	£	s.	d.	£	s.	d.
Thomas Sutton, Esq., Mr. of the Ordinance of the North by letters patent for life dated Feb. 28, 17th yere of her reign, at 5s. per diem	91	5	0			
One clerk at 12d. per diem	18	5	0			
Two servants at 6d. per diem per pece	18	5	0			
Two labourers „ „	18	5	0			
				146	0	0
The Comptroller of the Check and Musters	40	0	0			
One Clerk per ann.	13	6	8			
Two household servants at £5 6s. 8d. per pece	10	13	4			
				64	0	0
The Maior per ann.	10	0	0			
The Customer per ann.	10	0	0			
Controller of the Custom	5	0	0			
The Master Mason per ann.	12	3	4			
Mr. Carpenter 12d. per diem and 20s. per ann. for a reward of auncient tyme	19	5	0			
				56	8	4
Eight Constables, whereof four at £10	40	0	0			
and four at £8	32	0	0			
An increase of fourpence per diem le pece	48	13	4			
				120	13	4
Eighty horsemen at £6 13s. 4d.	533	6	8			
Increase of 4d. per diem le pece	486	13	4			
				1,020	0	0
Forty-two footmen at £5 6s. 8d.	224	0	0			
Increase of 1d. per diem le pece	58	17	6			
				282	17	6

For this increase of one peny per diem the said forty-two persons shall from tyme to tyme by equall order kepe and clense ye long galary or walls by the oversighte and appointment of the clerk of the watch.

THOLDE GARRISON.

	£	s.	d.	£	s.	d.
Twenty-eight gunners of the greate ordenance:						
Twenty of them at 6d. per diem and 1d. per diem increase	212	18	4			
Four at £6 13s. 4d. le pece per an. and 2d. per diem increase	38	16	8			
„ „ „ 1d. „ „	32	15	0			
				284	10	0
Officers of the said olde Garrison, viz.:						
Two clerkes of the watch at £11 13s. 4d. le pece	23	6	8			
and 4d. le pece per diem increase	12	3	4			
One Trumpeter at 12d. per diem	18	5	0			
Increase of 2d. per diem	3	0	10			
One surgeon at £13 6s. 8d. and 2d. per diem increase	16	7	6			
				73	3	4
Penciners by patent during lief, viz.:						
John Orde, late Master of the ordenance in the town of Berwick, to enioye his pension during accordinge to his letters patente per an.	20	0	0			
Thomas Carlile by like letters patent per an.	20	0	0			
				40	0	0

	£	s.	d.	£	s.	d.
The Newe Crewe.						
Eight captains; viz., Two Captains each of them to have the charge of one hundred souldiers at 4s. le pece per diem	146	0	0			
Two leef tenants at 2s. le pece per diem	73	0	0			
Two ensignes, two sergeants, two drummers at 12d. per diem	109	10	0			
Six Captains, having charge of fifty soldiers, at 2s. per diem	219	0	0			
Twelve officers, ensignes, sergiants and drummers at 15d.	273	15	0			
Five hundred harquebuziers at 8d. le pece per diem	6,083	6	8			
				6,904	11	8
Forty-two gonners of ye great ordenaunce:						
One Master Gonner at 2s. 6d. per diem	45	12	6			
His Mate at 16d. per diem	24	6	8			
Four Quarter Masters at 12d. per diem	73	0	0			
Thirty-six other gonners at 8d. per diem	438	0	0			
				580	19	2
Two surgeons at 12d. le pece per annum	36	10	0			
				36	10	0
Penciners during her majestie's pleasure so as they may not depart without license, butt attend upon the Governor for all services, viz.:						
Six late Captains discharged by this order at 2s. le pece	219	0	0			
Six men at £5 6s. 8d. le pece per an.	32	0	0			
Five other penciners at 20d. le pece per diem	152	1	8			
Two other pencyoners at 16d. le pece per diem	48	13	4			
Fourteen other such as are nowe discharged and have byn officers of the bands or such like at 12d. per diem	255	10	0			
Thirty other good olde soldiers and armed men or such like to have 10d. le pece per diem	456	5	0			
				1,163	10	0
Pencions determynable vppon ye death of the pencioners:						
Roger Carewe, late captain, for an increase of 16d. per diem in consideration of his hurt, and to determyn clerly at deathe	24	6	8			
Leonard Knappe, late Captain Foster's man, at £5 6s. 8. per an., and to determyn clerly vppon his death	5	6	8			
				30	13	4
A Preacher and other mynysters for the better service of Almighty God, viz.:						
For the better service of Almighty God it is ordered and thought mete that there shalbe preachers and certeyn other mynysters of the church assigned, And for that the nombers to be nowe by this devyse contynued be not so greate as vppon whose wage sufficient stipend maye be levied for the mayntenaunce thereof as hitherto largely it hath bene nowe from hensforth every officer beinge a councillor to beare his daies wages in the yere, and every other officer and personne in solde four daies wages yerelie, and moreover her Majestie of her grace and liberalitie to bere yerelie the sum of	50	0	0			
				50	0	0

	£ s. d.	£ s. d.
A supplie vnto the same garrysons necessaries for the savegard and better strength of ye same towne, viz. :		
And furder for that the walles of the said town are now more weake and cumbersome to gard then they were in tymes paste, It is ordered for the stronger watch and more suretie of the same towne that an allowance shalbe made att the Quenes Majestie's charges during the weaknes of towne of 16 men eny nighte to be hyred by the Treasurer and presented nightlie at the watch hill to the Marshall and clerkes of the Watch, to be placed where most neede, shall require eny of them to have 3d. the nighte - - - -	73 0 0	
		73 0 0
Fourteen artificers vnder ye charge of or Master of thordinaunce, whereof 7, viz, one bowyer, one fletcher, one Master smyth, one Master carpenter, one Master wheeler, and two armourers, at 12d. le pece - - - - - - - - - - - -	127 15 0	
7 other artificers and labourers vnder ye charge of the Master of the ordenaunce ; viz., one dagg maker at 12d. per diem, one coller maker and one couper at 8d. le pece, one basket maker at 4d. per diem, and three ordinary labourers in the said office at Berwick and newecastell at 6d. le pece - - - - - - - -	76 0 10	
		203 15 10
Ffor sellerage to be paid yerely by the Master of thordinaunce ; viz., at Newecastle £7 and at Berwick 60s, and to be yerelie allowed vnto the saide Master of thordinaunce, viz. - - - - -	10 0 0	
		10 0 0
Officers newlie erected, viz. :		
The Keper of the poste boate for passage of letters out and into Berwick when the gates be shutt and in the nighte - - -		2 13 4
Two tipstaves, one to attend vppon the Lord Governor and the other vppon the Marshall and Counsell at 12d. le pece per diem - -		36 10 0

Sum total of yerelie charge of Berwick aforesaid : Men ixc iiijxx (980).
Sum total - - - xijm vijc xxxiiijli xixs ijd (£12,734 19s. 2d.).
(£13,075 5s. 10d.)

Appendix VII.

STATUTÆ GILDÆ.

1. In Die nom̃ Amen, theys be the statuetts of the Gilde maide by the consent of Sir Robert Bernhm̃, Knight, than beyinge mayre of the town of berwick vpon twed. Symont maunsell wyth other of the forsaide burgh wysmen ffurst and pryncypall has constytut and ordened that whare as mony of the gylde breder was congregat and gadered together in the gylde ther beyinge on wyll and on mynde that from thens furth that no broder of the saide gilde mak no new cownsells agayn the comon well of o^{r} gilde in tym to com.

2. We orden that all particuler gilds from hens furth in o^{r} burghe had be abrogat and down away and the catell on to them rasonably belongyn shalbe gewyn vnto o^{r} gilde and from hens furth that no

man presume to procur any other gilde w'in oure burghe but all gang togethe w^t^ on assent and trew lowff.

3. We ordeyn that all forfetts extendinge to viijs but if they belong to the Kings towll or to the liberte of the mayres shalbe gewyn to the gilde.

4. We ordeyn also that the brethern of oure gilde in the dysponynge of ther gudds in ther testament to any sertayn place after as it pleasethe them of the parte belonge to them shall gyv in lygasy part to the gyld, but if it be forget and if that any man be not brother of our gilde and at hys last day geyff anythinge to oure gilde we shall resawe hym in our brotherhed and hys detts to be gart tayk vpe and in all other causes belongyn to hym as he warre a brother of the saide gylde and we grant to hym oure cownsell and helpe.

5. Also we orden if that any brother of ours mak falt vnto oure gylde in gayngyn thereto in words, or the tarryen or in comynge from it agaynse any brother of the gylde the fforst, the secownd, and the thyred tym he shall pay to the gylde in money iijs. iiijd. and if he offends the ffourt tym other in worde or in dede he shall be condempned and punyshed after the arbeterment of the alderman and the fferynge men w^t^ other breder of the gyld.

6. Also we orden if that any brother of ours dy that has had two wyffes and have porchest lande in bothe the wyffs tym, the land that he porchest in the first wyffs days the said wyffs children to have the said lande and if he purchest lande in the last wyffs days the saide wyffs chyldren to have the said lande so purchest in the saide wyffs days except he bequet it be testament in his leg powst or ells on his ded bed. (This law is in a slightly different hand from the others, and looks as if it had been added at a later period.)

7. Also we ordeyn if that any brother stryk another he shall forfet to the gylde an hundreth mark and after the arbeterment of the alderman and the feryngmen he shall mend to hym that was stryken, and if that any brother draw blode of an hother violently he shall pay to the gylde xxs. and after the arbeterment of the alderman and the feryngmen he shall mak amends to hym that is hurt after the quantyte of his hurt, nor that non of thes forfetts be ralessede for no manes prayers.

8. Also we ordeyn that no trobylsom man presume to beyr a knyff within the gatts of oure gilde vnder the payn of xijd. to oure gilde and if that any brother drawe blode of another w^t^ a clowbe or w^t^ any other wapyn or maym hym of any membre he shalbe condempned at the arbeterment of the Alderman.

9. Also we ordeyn that no man shalbe rasavyde in o^r^ bretherhed of our gilde for leese than xls. except sonnes of oure brethers and dowghters.

10. Also if any of oure brether of oure gilde fawll in age or in poverte or in seknes and not hawyinge whervpon he may leeff at the disposision of our alderman and other of o^r^ brether he shalbe releffed w^t^ the gudds of oure gylde and if that any brother of oure gylde after hyse dethe leeff hys wyff or hys dowghter the whiche has beyn of lawdable conversacion and good fame and not hawynge wherof she may provyd hyre of a man if that she wyll leyff chast after the disposision of the alderman and other brether she shalbe founde in a relegyos hows be the guds of the gylde.

11. Also if a brother of ours dee and haue not wherw^t^ he may carre do singe messe and deregy ffor hym, then the brether of oure gylde shall cause the body to be worshipfully beryede and messe and diryge to be songe w^t^ the goods of our gylde, and if any of the said gylde brether beyinge in the town and not comynge to the buryall he shall pay a boll of beyr malt to the gylde.

12. Also if any brother of our gylde w'out our burghe be wexyt or sewyt trew men, two or thre of oure gylde shall ryde w^t^ hym two days jornay of the costs of the gylde and ryde abow two days jornay, then he that is condempned shall mak thar costs of hys expencys

13. Also we ordeyn that if any brother of ours dyspyse presumptusly thes constituts, that no brether of oure gylde gyve hym no cownsell nor helpe, nother in worde nor in ded, or if he be suyt or trubbled in any cause he shall haue no succure nor helpe of vs.

14. Also we ordeyn that how oft the alderman and the feryngmen and other brother wyll congregat and gather together the brether of the gylde for the well of the burghe, all the brether shall com w^{t}out tary after the rengyn of the bell, vnder the payn of xijd.

15. Also we ordeyn that no leper man or woman entre w^{t}in the gatts of our burghe, and if that any be chance entre in by the segautts of oure burghe, they shalbe put furthe, and if that any leper presume to entre w^{t}in the gatts agaynst oure forebeddynge, that shall tak ther clothes and burn them and let them gang furth naket, ffor why yt ys provydet by the co$\tilde{m}$on cownsell that ther be gatheryt almuse to them and to ther sustentacion in a competent place w^{t}out the burghe, and that is to say of lepers beyinge strangers.

16. Also we ordeyn that non presume to lay mok or erth or ase in any co$\tilde{m}$on way or in market or of the water brays of twed to the impedyment or hurt of them that goys therby, and if any mayn do it he shalbe condempned in viijs. for trespas.

17. Also we ordeyn that no man presum to spek in oure court of that thing that towches the cause but alonly the playntyff and the defendre or ther attornays and the baylleffs that hawleys the court, and that at the inquetion of the cause of both the parties and also the playntyff and the defendre may indifrently caull to them on cownseller, and if any man presum to do agaynest this commandement he shalbe condempned in viijs. to the gylde (of a burges that wannts a horse, *sic.*).

18. Also we ordeyn what burges that hes catell of the waloure of xl. pounds he shall have a horse worthe at the leest xls., and if he be deprysed of hys hors by dede or sellinge or gewyn or any other ways, he shall get another w^{t}in xl days or ells be condempned in viij*s.* to the gyld.

19. Also we ordeyn that no man presum to greends whet, maslengen or ry on any hande mell w^{t}out cause of great tempese or faut of mylls, and if any man presum to do agaynest this co$\tilde{m}$andement he shall be depreved for ever, and he shall grynde malt at thes hande mells.

20. Also we ordeyn that no man by no hyds, woll nor lamb skynnis to sell agayn nor cut no clothe, but if he be brother of the gylde or a stranger merchant for neede of hys costs, nor he shall nother have lothe nor cavyll w^{t} brether of the gylde.

21. Also we ordeyn that no shomaker tand no hyds bot of whom the erys and hornes be bothe of on lengthe, and that no tanner salt no hyds.

22. Also we ordeyn that no brother of ours tak no wantage of any stranger marchant for vtterynge or sellynge of woll or hyds or any other merchandise, for if he do he shalbe condempned the fforst the secownd tym in xls., and if that he be fownd the threde fawtyff he shall leese his fredom for ever, but if the alderman and the bryder wyll grant hym grace to resawe hym agayn.

23. Also we ordeyn that no man by nother heryinge nor other fyshe the whiche are brought to the town be shipe whyls the shipe be brought to the shore, nor non other merchandize, and if any other brother be c$\tilde{o}$weyt to theis causes he shall gywe to the gilde a ton of wyn or be put furth of the town a yere and a day.

24. Also we ordeyn that if any brother by salt or any other grayn or merchandise he shall not deny to another brother part thereof for neds tyll hys hows, and if he deny that tyll hys brother he shall pay to the gyld a ton of wyn, and he that takes more then tyll hys owyn hows neds and selles it agayn he shalbe condempned in a ton of wyn and the ffourt part that is bought of all thyngys shall reman to the byer, and that they shall pay w^{t}in the ship or thay pase.

25. Also we ordeyn if that any brother by heryinge or any other merchandize or gewe a penne or selver in erlest he shall pay the merchant of whom he bought the merchandize of w^t^outen fayll or lessynge hys arlesse, and he do it not and be cõvect therof he shall pay to the gild a ton of wyn or be put furth off the town a yere and a day.

26. Also we ordeyn if it hapyn the byere of any merchandize se it gud abowe and wars under the seller shall mend it after the seyght of the ferynge men.

27. Also it is ordened that no bowcher by nother woll nor hyds whils he occupys that craft or melles w^t^ the slaynge of bees.

28. Also we ordeyn that brokers be elect and chosyn by the common assent of the brether the whylk shall gewe every yere a ton of wyn to the cõmonte at the ffeast of Saint Myghell w^t^out delay.

29. Also we ordeyn that no hukster by nother fyshe, eggs, chese, nor other merchandize that comes to the merket to sell afore the ringyn of the bell in the Barfut fryers, and if any do contrary to our cõmandement that at they by shalbe taken and gewyn to the poore after the consideracion of the bailleffs.

30. Also we ordeyn that no man by no merchandize the whylk comes to the burghe to be sold upon the brige nor in Briggat nor at the cõmyn to the town afor that it come to the merket, and if that any man do contrary and be convict therupon he shall loos that at he byes and the profet of it to end to the gilde.

31. Also we ordeyn that no woman hawynge a man shalby woull in the stret nor no burges shall hawe but one suit to by woull and hyds, and if that he by vnrasonably woull or hyds agaynest the constitut made in hurtyinge of the cõmon well the woll and the hyds shalbe takyn to the well of the gilde and the forsaide suit to be condempned in viijs.

32. Also we ordeyn and stratly cõmand that no brother of ours procur any forender out of oure liberty to pled for hym agaynest any brother under the payn of forfettyn of a ton of wyn w^t^out any forgefnes.

33. Also we ordeyn that if any man mak any consperacion agaynest the comonty or any person of them and be convict thervpon he shall forfet a ton of wyn.

34. Also we ordeyn for the cõmon cownsell of oure gyld that the comonty of oure burghe be governed by xxiv of the most discret and wisest men of oure gilde w^t^ the maire and foure bailleffs, and when that ever the forsaid xxiv be callet for the comon well and if that any of them com not at the callynge he shall gewe to the gilde ijs.

35. Also we ordeyn that the maire and bailleffs be elect and chosyn be the consideracion and syght of the comonty, and if ther be any contra vers or debayt in the chesyn of them then thay shalbe chosyn be the oth of the xxiv ferynge men.

36. Also we ordeyn if any brother of ours dysclose the secrets of oure cownsell made in oure gilde tyll any other man presum to mak, opyn or shew the first tym, he shalbe punished after the consyderacion of the alderman and other of oure brether, and the secownd tym he shalbe put furth of oure town for a yere and a day, and if he be convict the thred tym of it he shall lease hys fredom for ever and be takyn as a vntrewe man.

37. Also we ordeyn that iff any skenner or glower or any burges mak woull of any shepes skennes from the ffeast of Whitsontyd vnto the ffeast of St. Myghell, but sell them allways as well as thay may, and if thay do the contrary and be convict therupon thay shalbe depreved of ther offyces for a yere and a day, and if it be a burges he shall pay a ton of wyn to the gilde.

38. Also we ordeyn that what brother of ours by herynge thoos brother that ar present at the makyn of the bargayn shall have part be the same pris w^t^out fravd or gyll, and that any brother wold have part of them that was present at the makyn of the bargayn he shall geff to the byere xiid., and if that any man be convict of the contraii he shall geff a ton of wyn to the gylde. And if that any man be convict for payment not makyng to the seller of thoos herynge he shall geff a ton of wyn to the gylde that is to underston of brether of the gylde and no^t^ strangers.

39. Also it is constitud of Wednesday befor the ffeast of Seint mighell the yere of our Lord m^l^ ij^c^ lxxxj that every burges shall geff full cuntage for every town of wyn that he putts in hys tawern and that he putts in the shipe and for co̅mynge to on seller to another shall geff ijd. ob on penny to the town and jd. ob for bernage.

40. Also a statut maid in the church of sent nycollas on the day after seint cutbrt day in the yere abovsaid that no woman shalby no otts to mak malt of to sell mor then a chawder, and if she by mo^r^ she shall leese it and the iij pt shall gang to the bailleffs and the resydue to the gylde.

41. Also it is constitut on Wednesday of Simont ewye and Jud in the yere abovsaide that no bowcher from the fest of Sent Martyn vnto Cristenmes shall gang furth of the town to met beyff comyng to the town to be sold by them, nor to procur them to kepe them vnsolde, which after nown for frawd that thay may hawe them to them selff, and if that any man do the contrarii to this he shall loose hys offys for a yer and a day.

42. Also we ordeyn that no stranger bryngyn barket ledder to the town to sell shall sell it in the hows, but in the co̅mon market, and that on the market day, and he shall pay hys towll.

43. Also we ordeyn that what tyme the alderman and feryngmen for the comon well of the town well gather togethher the brether of the gylde by the ryngynge of the bell in the Barfret Frers what brether that comys not or the bell sesse he shalbe condempned in xijd.

44. Also we ordeyn and statuet in the yere afore wretin that if eny brother of our gylde ffellow hym w^t^ eny unfreman comyng to the town by see w^t^ whete, malt, massengyll, beanes, rye, owtts, or eny other graynes he shall paye the towne's duetye, and officers of the waters as the unfreman shall except he taketh forth is part and ley in the lofts. Also the said freman to be sworne on a bok what is part is truely or to shew that he hath bought it all by charter party wreton and sealed. Also if eny freman bryng a ship so ladyn w^t^ eny greyn or eny other merchandize and sell in the water, he paye is duetye to the town and officers of the water as an unfreman doth. And if he by it vp he shall pay nothyng.

45. Also we ordeyn be the assent and consent of all the brether of our gilde in the day of Seint Mathow in the yere abovsaid that all the merchands takyn from strange merchantts awe to perteyn to brether of the gilde except though that has perteyning to the King.

46. Also we ordeyn the same day that no brother or the gilde dwellynge w^t^out the town presum to by any merchantdes belongyng to our gilde w^t^in our burgh, but all only on the markett day. And that no man dwellynge w^t^out the town by any wettell comynge to the town by shepe to tawern, but only to the sustentacion of hys hows, and if any man do the contrary to be convict of the same, he shall gyff to the gilde a ton of wyn.

Appendix VIII.

CHARTER GRANTED BY ROBERT DE BRUS TO MELROSE ABBEY.

The English translation, from the pen of the late R. Weddell, gives the substance only of the charter. This is one of those charters called *De Pitancia Centum Librarum.* By the charter, which is very curious, one Robert the Brus on the 10th of January, and twelfth year of his reign, assigns out of the Customs of Berwick, and, failing them, out of the Customs of Edinburgh or Haddington, the sum of £100, at the half-yearly terms of Pentecost and St. Martin's in Winter, to the Abbot and Community of the Monks of Melrose. The precise purpose of this annuity is to furnish to each of the monks of the said monastery while placed at food in the refectory, an extra mess of rice, boiled with milk, or of almonds, or peas, or other pulse of that kind which could be procured in the country. This addition to their commons is to be entitled to the King's Mess. And it is declared, that although any monk should, from some honest apology, want appetite or inclination to eat of the king's mess, his share should, nevertheless, be placed on the table with those of his brethren, and afterward carried to the gate and given to the poor. 'Neither is it our pleasure,' continues the bountiful sovereign, 'that the dinner, which is or ought to be served up to the said monks, according to their ancient rule, should be diminished in quantity, or rendered inferior in quality, on account of this our mess so furnished as aforesaid. It is, moreover, provided that the abbot, with the consent of the most sage of his brethren, should name a prudent and decent monk for receiving, directing, and expending, all matters concerning this annuity for the benefit of the community, agreeably to the royal desire and intention, rendering a faithful account thereof to the abbot and superior of the same convent; and the same charter declares the king's pleasure that the said men of religion should be bound yearly and for ever in acknowledgment of the above donation, to clothe fifteen poor men at the feast of St. Martin in Winter, and to feed them on the same term, delivering to each of them four ells of large or broad cloth, or six ells of narrow cloth, and to each also a pair of new shoes or sandals, according to their order; and if the said monks shall fail in these engagements, or any of them, it is the king's will that the fault shall be redeemed by a double performance of what has been omitted to be executed at the sight of the chief forester of Ettrick for the time being and before the return of St. Martin's Day succeeding that in which the omission has taken place.

Appendix IX.

GRANT OF HENRY.

1533. The trewe coppie of the Graunt that the famous king of worthy memory maide by letters Pattente to the Maior and Burgesses of Berwick for the establishing of certain ordinances, as by the tenure of the same may heareafter at large appeare.

Henry the Eight by the Grace of God Kinge of England and of France, Defender of the Faith and lord of Irlande, to all to whom these present letters shall come, greeting. Wee haue seene a certaine wryte of certiorare of o^rs directed to the maior of o^r Towne of Berwick w^th the retorne of the same, by the said maior retorned to us in our chancery and remaininge upon the files of our chancry afs^d maide in these wordes, Henry the Eighte by the Grace of God King, *ut supra*, ... Greeting. Wee willing for Soundry causes to be certified upon certaine ordinances by us and our councell maide, ordeyned and established, and w^th o^r hands assigned with the assente of o^r Trusty Chancellor, Tho^s. Darcy, K^t., Lord Darcy, then cap^tn of o^r saide

towne of Berwick for the comonwelthe and safety of the same towne. Wee comande youe that w^out delay you sende unto us into o^r chancery under o^r seale distinctly and openly the af^rd ordinance w^th all things towching the same together w^th this wyrtt. Wytnesse myself at Westminister the 1st of March in the 24th year of our reigne. The execution of this wrytte appearethe in a certain schedule annexed to this wrytte. The answer of Ralf Bradforth, Maior of the towne of Berwick, w^in wrytten. Wee haue seene furthermore certaine ordinances by us and our counsell maide and signed w^th o^r hande w^th the assent of o^r well beloved Councellor, Tho^s. Darcy, K^t., Lord Darcy, late Cap^tn of o^r said Towne. And by the said Maior of o^r towne of Berwick by vertue of our wrytte af^rd and is remaininge upon the files of o^r said chancery maide in these wordes. Hereafter insue certain establishments and ordinances the which the king o^r sovereign, Lord King Henry VIII., by the assent of his Trusty Councellor, the Lord Darcy, Captain of the towne of Berwick hath maide ordeyned and established for the honor of o^r said Sovereign Lord and the comon weale and suretye of the said towne. Henry :—First, yt is our said sovereigne lords pleasure and express commandment that no officer, soldyor, or any other person havinge any retinue under him, or beinge in the King's retynue of and under one other at the Kings waiges for his attendance and service at the werre be no freeman of the said town, nor doe, nor occupie any sute of merchandise or fermes of waters, nor in any wise medle w^th any thing that apperteyneth onely to the said freemen of the said town. And if any man in tyme past contrary to this order have, be, or hereafter for tyme to be admytted to the fredome of the said towne, or any fremane admytted into any retenue, taking therefore the said waiges for the warre, that the said admission to be a freman to be and stand utterly voyde and of none effecte, and the fremane admytted unto any of the king's reteynewe taking therefore the king's said waiges for the werre forthwith lose his fredome. And if hereafter ther be any thing done or attempted to the contrarye yt shalbe leifull to the s^d captain as the caise shall require to put to his hande and effectually provide for the reformation thereof. And also that the maior, burgesses, and comonalty of the same towne haue and enjoy suche common w^in a grounde called the Snoke and in all other places w^in the boundes of Berwick as they have had in tymes paste. Alsoe all manner of merchants, denizens and strangers being in amytie with o^r Sovereign lord ffrome henceforthwarde shall freely and saiffelie w^out any interruption, salvegarde or lycence, asking of the captain of the said towne for the tyme being or any other, come all tymes unto the said haven of the towne theretoe doe the feete of merchandise as thought good and expedient betwixt them and the freemen of the said towne, saving all waies that any Scottish shippe or boote that shall come unto the said haven putt no more of his men on lande to come or entre the saide towne before he have lycence of the Captain of the same towne, but onely for every ship or boote one person. And that it be liefull for the Scottishemane or Scottishemene to sett on lande, that is to say, for every ship or boote onely one person, to come freely without any licence, asking of the captaine or of any other when the gates be oppen to the Maior, and in his absence to the alderman, to requyre him to ask licence of the Capteyne for them and the remnant of the company remaining in the shipp or shipps, boote or bootes to come into the toone ther to doe their feate of merchandise. And the said Capteyne so requyred shall grant to the s^d Maior, or in his absence to the alderman, the said license to the said Scottishmane or Scotishmen. And the said Capteyne shall in likewise grant to every Scottishemane being a merchant man lycense to come and retorne, passe and repasse by lande to and from the said toune with any manner of merchandise so that he aske the said lycense before he enter the boundes of the same except in either of the said two cases ; that any of the Scotishmen before a reasonable cause suspected to the said Capteyne of the King's Counsell of the said toune or that any of them come out of places wher the great sickness reigneth or that yt be then warre betwixt both realmes. And if any Scotishman or men by any other manner wyse then is before rehearsed presume to enter into the said toune or the boundes thereof by lande or water it shall be lawful to the said Captain and all other the Kings subjects to take the Scotsman or men so presuminge

as ther lawful presoners and to enjoy them accordinglie. And it is ordeyned and established that the Maior and burgesses of the said toune for the tyme shall yearly w^in^ four dayes w^in^ Michaelmas day choise and presente to the saide Capteyne six of the cumburgesses to be hoostes for all manner of Scottishmen comynge to the said toun by licence of the said Capteyne, the which six burgesses the said Capteyne shall forthwyth admytt for ostes of said Scottishmen during onely the year then next following except evident reasonable cause moving the said Capteyne of the Kings Counsell of the said town to the contrary. And if the said Capteyne for any such cause refuse any of the said cumburgesses to be hooste or hoostes for Scotishmen, the Capteyne and counsell shall forthwith shewe the refusall to the said Maior, and the said Maior and his Cumburgesses by the advise and assent of the said Capteyne and Counsell shall choose a new burgess or burgesses in the place of him that he refused and then present him to the Capteyne, and the said hooste and every of them, that ys to say every hooste for the Scotishmen lodged w^in^ his house shall answer to the said Capteyne for the good abearing of the said Scotishmen for the tyme of the lodging with the toune. And that the said Scotishmen be w^in^ their lodging at or before the hearing of the watch bell in the evening, and that they departe not till the watch bell be rung in the morning at the jepordye of the same Scotishmen for the same his misbehavinge to be taken prisoner, and it shall also be lefull to every merchant being burgess and freemen of the said toun to passe and repasse into Scotland by land or by water with thir liefull merchandises so that they first aske licence of the said Capteyne, and this lycence the said Capteyne shall grant them except it be upon any evident suspicion or other reasonable cause upon the discretion of the said Capteyne and the King's Counsell. Provided alwaies that they carry not nor sell no corne owte of the said toun of Berwick into Scotland whence the q^r^ of wheate ys in Yorkshire, Lyncolnshire, Norfolke and Soffocke above 6s. 8d. Also that the said Maior for the tyme being have alwaies to serve the Kinge and him under the King in the office of Maieralty specially in matters of justice and execution of the same at the elexion of the said Maior yearlye after their custome used in the said toune in the tyme of Sir William Tyler, Knighte, late Capteyne of the toune, ffower serjeants, and that the said ffower serjeants during the tyme of ther services in the office of serjeants, be and stand in the King's waiges as soldyers of the said toun yearly taking and perceaving 106s. 8d. of leifull money of England by the handes of the Treasurer of the same toun for the tyme beinge.

We therefore the tennor of the foresaid wrytt and the retorne of the same, and also the aforesaid ordanances at the requeste of the aforesaid Ralf Bradforth, Maior of the aforesaid town of Berwick and the burgesses and comonalty of the same toun haye caused to be exemplyfied by these presents. In vytness whereof we have caused this our letters pattents to be made wytness my hand at Westminster on 11 July, in the twenty-fourth year of our raigne.

Appendix X.

MEMBERS OF PARLIAMENT FOR THE BURGH OF BERWICK-UPON-TWEED.

Berwick, as has been previously said, was represented in the Court of the Four Burghs, which was a Burghal Parliament, and when the Scots Parliament became of a fixed and definite form, it would, doubtless, be summoned to send representatives. In 1326, during the reign of Robert the Bruce, it was represented in one. But after its conquest by the English in 1333, it remained unrepresented in any Parliament. It could not be represented in Scotland and it was not in England, as is stated in the Scotch Rolls of 1383. It came into Scotch hands in 1461, and from 1471–1479 it sent representatives to the Parliament in Edinburgh. After its reconquest in 1482 by the English and the final settlement of its attachment to England, representatives are found in the Parliament there.

From a return lately made to the British House of Commons we learn that John Couper and John Martin were chosen in 1529 to represent Berwick in the English Parliament. Couper is marked 'mortuus' in the return, so that it is questionable if he ever sat as member. The first extant election of a Member of Parliament recorded in the Guild Books is that of Odnell Selby on April 18, 1539. The next noticed there is that of George Brown generosus and Odnell Selby generosus in 1554. These were both natives of Berwick, and had been Mayors of the town.

A fee was paid to members at this period, but scarcely enough to cover expenses. A member was allowed 3s. 4d. a day, to pay which sum an assessment was laid upon the townspeople by the Treasurer in the following manner: every Mayor was assessed at 8s., every Alderman 6s., every bailiff 4s., every freeman 2s., and from every stallinger was to be taken what could be gotten.

On October 12, 1555, Thomas Bradford and Charles Wharton were chosen. Bradford, Bradforth, or Bredforth was one of an old Berwick family, and owned Elwick. He left an only daughter, who married Thomas Grey, of Kyloe. Sir Thomas Grey, his son, heired Elwick, which thus passed out of a family that had owned it for 300 years.* Wharton was brother of Sir Thomas Wharton, M.P. for the county, and a relative of Lord Wharton, Warden of the East Marches in 1556.†

On January 11, 1562, Anthony Temple and Thomas Norton were chosen. The Temples are an old Berwick family. Dr. Frederick Temple, now Bishop of London, is grandson of the Rev. Wm. Johnstone Temple, a freeman of Berwick in 1761, and great-grandson of Wm. Temple, who was Mayor of Berwick when the present Town Hall was finished. His name is recorded on the building. Of Norton I have not been able to learn anything.

On May 8, 1572, Martin Garnet and Robert Newdegate were chosen. Of Garnet I have spoken at length elsewhere. Of Newdegate nothing is known.

On November 23, 1584, Wm. Morton and Thomas Parkinson were returned. They both belonged to Berwick, were freemen of the town, and Mayors of the burgh. Parkinson was well known, had much to do with the passing of the charter and other public works in the town. He was eleven times Mayor.

On October 15, 1586, Morton was succeeded by Vallentyne Brown, of Hogesden, Middlesex, who had been Queen's Victualler and Treasurer of the Garrison for many years. He was a member of the Guild and Alderman of Berwick.

On November 12, 1588, Wm. Morton and Wm. Selby were chosen. Selby has been already mentioned as founder of the Grammar School.

On February 19, 1592, Wm. Morton, Mayor, and Wm. Selby the Younger. This Wm. Selby was nephew of the preceding. He inherited his uncle's estate of the Moat, in Kent. He married Dorothy Bonham, of Mallyng, in Kent.

On October 18, 1597, Wm. Selby the Younger and Thomas Parkinson, Mayor, were returned.

On October 27, 1601, William Selby the Elder and David Waterhouse. The latter was a brother of Sir Edward Waterhouse, of Ledes, Kent.‡

In the first Parliament under the new charter Sir Wm. Selby the Elder and Christopher Parkinson, Recorder of Berwick, were chosen; and on April 5, 1614, Sir George Selby was chosen, but, being Sheriff of County Palatine, of Durham, was ineligible, and was replaced by Sir Wm. Selby the Younger.§ He was succeeded on January 16, 1620, by Sir John Selby and Sir Robert Jackson. Sir John was brother of Sir Wm. Selby the younger. Of Jackson vide *Grammar School.*

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* Raine's 'North Durham,' pp. 199, 337.

† Jerningham's pamphlet on 'The Representation of Berwick in Parliament' (1885), p. 8.

‡ Jerningham's Pamphlet, p. 11.

§ No return found for this Parliament, except this single after-election.

On February 12, 1623, Sir Robert Jackson, Alderman, and Edward Lively. The latter was brother to John Lively, Vicar of Kelloe in the ward of Easington, co. Durham, who, by will dated March 3, 1650, left him a gold ring.*

On May 17, 1625, Sir John Selby and Sir Robert Jackson.

On February 6, 1626, Sir Robert Jackson and Richard Lowther.† Because 'Lowther had taken paines forth of Cumberland to congratulate the town for the free and loving election of him to be one of the Parliament burgesses, he was sworn a free member of this Corporation.' He was the sixth son of Sir Richard Lowther, Knight, High Sheriff of Cumberland in the 8th and 30th of Queen Elizabeth, and ancestor of the Earls of Lonsdale.

In 1628 the members for Berwick were Sir Edmond Sawyer and Edward Lively. Sawyer was expelled the House on June 21, for tampering with a witness before a committee of the House appointed to ascertain his connection with two new books of rates. For this he was committed to the Tower, and turned out of the House of Commons, and declared to be unworthy ever to serve as a member of the House.‡ On October 1, 1628, Sir Robert Jackson was again chosen. To these members the Guild gave the following instructions:

'I. Gitt your appearance recorded.

'II. It will not be amiss to make your acquaintance with the Speaker and with the Clerk of the Parliament House.

'III. Then not only to be acquainted, but also associate yourselves with the burgesses of other burghs, and to have often mutual conference with them, or as many of them as conveniently can, about the Bills preferred; and whether the passing of any Bill may be prejudiciall to this burgh or not, as if any Bill preferred to be read any staple warre, as well skinnes, as wol fells, hides or like to be prohibited to be transported;

'IV. Or the transporting of white cloaths out of this country be forbidden;

'V. Or any tenths, subsidies, or fifteenths granted;

'VI. Or privy sealls, or any other things in your judgments that may be prejudiciall to the good of this place or against our ancient libertics, that you speak yourselves, and procure other burgesses to speak, for a proviso for this place, as ever hath been accustomed, requesting their kindness with a like return on any their like occasions.'

On March 11, 1640 (Charles I.'s Short Parliament) were chosen Sir Thomas Widdrington and Hugh Potter. One Mr. Cooke opposed Potter, and was defeated.

On October 20, 1640 (the Long Parliament), Sir Thomas Widdrington and Sir Edward Osborne. On the resignation of the latter, Robert Scawin was chosen, December 21, 1640. The Long Parliament was expelled by Cromwell, April 20, 1653.

On July 12, 1654, Colonel George Fenwick, of Brinckburne, was chosen sole member. This Parliament was dissolved January 22, 1656, and on August 11 following he was elected a member of Oliver's packed Parliament.§ He left for London on September 8, after having drunk wine with the Guild. He died March 15, $165\frac{6}{7}$, 53 years of age. He was succeeded by John Rushworth and George Payler. Payler had been Treasurer of the Garrison in 1648. He had been long a friend to the town, tried to procure ministers suited to their tastes, and had much to do in obtaining Webb as schoolmaster. He was son-in-law to Sir Robert Jackson.

On April 25, 1660, the Guild chose Sir Thomas Widdrington, now Chief Baron of Exchequer, and John Rushworth; but Widdrington elected to sit for York, when Edward Grey was chosen in

* Raine's 'Durham,' 67, quoted by Jerningham. † *Edward* Lowther in the Guild Book.

‡ 'Journals of the House of Commons,' vol. i. (1547-1628), p. 917.

§ See Jerningham's pamphlet for most extraordinary statements concerning Fenwick, on account of the writer of the pamphlet forgetting that the year at that time began on March 25.

his stead, June 20. The latter was second son of Sir Ralph Grey, of Horton and Chillingham, M.P. for Northumberland.

On March 29, 1661, for the Long or Pensionary Parliament, were chosen Sir Thomas Widdrington and Edward Grey. Daniel Collingwood, of Branton, succeeded Widdrington, deceased, January 10, 1664, and Peregrine Osborne,* Lord Viscount of Dunblaine, took the place of Edward Grey, deceased, on March 2, 1676. Sir Thomas Widdrington, Barrister-at-Law, Recorder of Berwick, and four times M.P. for the burgh, was descended from the ancient family of that name, whose principal seat was Widdrington Castle, in Northumberland. Of him Anthony Wood remarks that 'in the unhappy Parliament which began on November 3, 1640, showing himself an active man, and taking the covenant, he was esteemed by all persons a zealous Presbyterian; but when the cause seemed to decline he struck in with the Independents.' According to Bulstrode Whitelock, he was a gentleman of known integrity, and of great abilities in his profession. In 1654 he was appointed by Cromwell one of the Commissioners of the Great Seal, and was 'one of the Commissioners,' says Wood, 'for the ejection of those who were by the faction called scandalous, ignorant, and insufficient ministers and schoolmasters.' He was chosen Speaker of the Parliament of 1656, and in the following year did invest and install Oliver to the Protectorate. In 1658 he was made Lord Baron of the Exchequer, but he still continued with the utmost kindness and attention to advise the Corporation of Berwick whenever they applied for his opinions on matters of law, and to assist them in obtaining from the ruling powers the confirmation or enlargement of their privileges. Wood further states he was accounted by many an accomplished person in all arts, as well as in his own profession of the common law.

On March 6, 1678, were elected and continued to sit during the Parliaments of 1679 and 1681 Ralph Grey and John Rushworth. Grey was nephew of Edward Grey, and was subsequently Governor of Barbadoes. This was the last Parliament in which Rushworth sat. He was a native of Northumberland, and took great delight in collecting all kind of materials of interest in State affairs. He had good opportunities of doing so—was long in Parliament, attended King Charles on his journeys, was present in the camp at Birkhill, saw the fight at Neuburn-on-Tyne, etc., etc. He was Recorder of Berwick for a long time, as well as solicitor in London for the town, but was unfortunate in the end of his life, ran into debt, and spent six years in the King's Bench Prison in Southwark, where he died May 19, 1690, at 83 years of age. He was buried in St. George's Church in that burgh. The papers he gathered were called 'Historical Collections,' which Carlyle designates as 'dreariest continent of shot-rubbish the eye ever saw. Confusion piled on confusion to your utmost horizon's edge: obscure, in lurid twilight as of the shadow of Death; trackless, without index, without finger-post, or mark of any human foregoer.'† A copy of the first volume Rushworth presented to the Guild with the following letter:

'Sir,

'It is not out of ambition that I present this Book to yourself and brethren, to remayne in your Town House for the use of your Corporation, for I am not in love with anything of my own. Yet probably you will find contained in it what your posteritie may make use of to instruct them to tread the paths of their ancestors, to assert the ancient rights and liberties of Englishmen, and the just rights and privileges of Parliament. I shall beg your acceptance, etc.

'J. R.'

No such book is now found in the archives of the town.

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* Lineal descendant of Lord Willoughby, Governor of Berwick, and grandson of Sir Edward Osborne.

† Carlyle's 'Cromwell,' vol. i., p. 6.

In James II.'s Parliament, May 19, 1685, the members were PHILIP BICKERSTAFFE, of Chirton, Northumberland, and RALPH WIDDRINGTON, brother of Sir Henry Widdrington, of Widdrington.

In the Convention Parliament which met January 22, 1688, the members were SIR FRANCIS BLAKE and PHILIP BABINGTON. Blake 'received the honour of knighthood from William III., of whom he was a zealous supporter. He married Elizabeth, daughter and co-heiress of Wm. Carr, Esq., of Ford Castle, and thus acquired that estate.'* Babington was Governor of Berwick.

On February 25, 1690, were elected SIR FRANCIS BLAKE and SAMUEL OGLE. Ogle was son of the Rev. Luke Ogle, and Recorder of Berwick. He sat in eight Parliaments. Blake was displaced in 1695 by RALPH GREY, the same as above. Grey in turn was displaced in 1698 by BLAKE, who was again displaced by GREY in 1700. The returns for 1701-2 give SAMUEL OGLE, who had sat uninterruptedly from 1690, and SIR FRANCIS BLAKE. The latter elected to serve for the County, and was succeeded by JONATHAN HUTCHINSON (February 9, 1702), who along with OGLE represented Berwick till 1710, when WILLIAM KER took the place of Ogle, deceased. RICHARD HAMPDEN succeeded Hutchinson, deceased, on December 22, 1711. Ker was a brother of the first Duke of Roxburgh, and Hampden was of Hampden, in the county of Buckinghamshire.† WILLIAM ORDE, of Newbiggen and Sandybank,‡ took the place of Ker on September 4, 1713.

On March 17, 1714, in the Parliament of George I., were chosen GREY NEVILLE and JOHN BARRINGTON, *alias* SHUTE. Henry Grey Neville was son of Mr. O. G. A. Neville, of Billingham, by Katherine, daughter of Ralph, Lord Grey, who died 1675.§ He was one of the Commissioners for stating the debts due to the army.‖ John Shute, Esq., barrister-at-law (only surviving son of Benjamin Shute, Esq.), inherited by will, although unallied and but slightly known to the testator, the estate of John Wildman, Esq., of Becket, co. Berks; Mr. Wildman declaring that the only reason he had for making Mr. Shute his heir was, that he considered him the most worthy of all his acquaintance of adoption, after the manner of the Romans, a mode of settling property which he had always approved. He also heired the property of Francis Barrington, Esq., of Tofts, co. Essex, through a cousin, in pursuance of which he assumed by Act of Parliament the surname and arms of 'Barrington.' On February 15, 1723, he was expelled the House of Commons for being a promoter of the fraudulent Hasborough lottery. He had previously been elevated to the peerage of Ireland, July 1, 1720, as Viscount Barrington.¶

On Barrington's expulsion, HENRY GREY, of Horton and Howick, father of Charles, first Earl Grey, was elected March 11, 1723, and on the death of Grey Neville, WILLIAM KER was again chosen to represent the old burgh.

On August 25, 1727, GEORGE LIDDELL and JOSEPH SABINE were returned; on April 30, 1734, GEORGE LIDDELL and HUGH HUME CAMPBELL, commonly called Lord Polwarth. The latter, on becoming third Earl of Marchmont, by death of his father, was succeeded by WILDMAN, LORD BARRINGTON, son of the previous member of that name. THOMAS WATSON, of Grindon Rigg, took the place of Liddell, deceased, on November 27, 1740. Watson was six times Mayor of Berwick, and M.P. for 26 years. He was great-grandson of William Webb, the puritan schoolmaster.**

On May 6, 1741, WILDMAN, LORD BARRINGTON, and THOMAS WATSON were returned. Barrington was re-elected after having been made one of the Lords of the Admiralty.

On June 29, 1747, the same members were returned.

On April 23, 1754, THOMAS WATSON was joined by JOHN DELAVAL, of Ford Castle. At this

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* Burke's 'Peerage' (1847), p. 100. † Hutchinson's 'Northumberland,' vol. ii., p. 93, note.
‡ Raine's 'North Durham,' p. 311. § Jerningham's Pamphlet, p. 20.
‖ Hutchinson's 'Northumberland,' vol. ii., p. 93, note.
¶ Burke's 'Peerage' (1847), p. 68. ** Raine's 'North Durham,' p. 319.

election John Wilkes, the celebrated libeller, was defeated, owing, it is said, to contrary winds having detained a cargo of non-resident freemen.*

On March 27, 1761, Thomas Watson was returned with John Craufurd, Colonel of the Regiment of Royal Volunteers. On Craufurd's death, Sir John Hussey Delaval, Bart., of Ford Castle, was elected January 18, 1765. In the close of the same year, Watson, who had accepted the stewardship of the manor of Shippon, co. Berks, was succeeded by his nephew, Wilmot Vaughan, afterwards created first Earl of Lisburne, July 18, 1776.†

On March 19, 1768, were returned Sir John Hussey Delaval, Bart., and Robert Paris Taylor. It was said that during this election many non-resident freemen on their way from London to Berwick were landed in Norway instead,‡ (the captain was evidently bribed).

On October 12, 1774, Jacob Wilkinson and Major-General John Vaughan, K.B., brother of Wilmot, a previous member. He was Governor of Berwick; died June 30, 1795.§

On September 20, 1780, Major-General John Vaughan and Sir John Hussey Delaval, Bart.

On April 3, 1784, Baron Delaval, in the kingdom of Ireland, and Major-General John Vaughan. Lord Delaval was called to the Upper House, and was succeeded on September 21, 1786, by Sir Gilbert Elliot, Bart., who was afterwards first Earl of Minto.‖

On June 22, 1790, Major-General John Vaughan and Charles Carpenter. On Vaughan's death, his place was filled by John Callander on September 28, 1795. At the next election to the first Parliament of the United Kingdom, Carpenter's place was occupied by his elder brother, George, Earl of Tyrconnel, in the kingdom of Ireland.

On July 23, 1802, Thomas Hall and John Fordyce were returned, but their election was declared void through corruption.¶ Their places were filled by Francis Sitwell, of Barmoor Castle, and Alexander Allan, of London.

On November 26, 1806, Sir John Callander, Bart., of Westerton, co. Stirling, and Alexander Tower, of Ferryhill, co. Aberdeen.

On May 11, 1807, Alexander Allan and Sir Alexander Macdonald Lockhart, Bart., of Carnwath and Lee, co. Lanark.

On October 12, 1812, Alexander Allan and Henry Heneage St. Paul, of Ewart Park.

On June 20, 1818, the same.

On March 13, 1820, Charles Augustus Bennet, Lord Ossulston, and Sir David Milne, Rear-Admiral of the White, of Rose Bank, Inveresk. The election of the latter was declared void, and his place taken by Henry Heneage St. Paul.

On June 21, 1826, Marcus Beresford and John Gladstones, afterwards Sir John Gladstone, Bart., of Fasque, and father of Wm. Ewart Gladstone, M.P. Gladstone's election was declared void, and his place taken by Sir Francis Blake, Bart., of Twizel Castle.

On August 3, 1830, Marcus Beresford and Sir F. Blake, Bart.

On April 30, 1831, the same.

On December 13, 1832, Sir Rufane Shawe Donkin, K.C.B., Lieut.-General, and Sir Francis Blake, Bart.

On January 8, 1835, Donkin and James Bradshaw, of London.

On July 26, 1837, Richard Hodgson, of Newcastle and Stelling Hall, and Wm. Holmes, of London.

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* Jerningham's Pamphlet, p. 22.

† Burke's 'Peerage' (1847), p. 618.

‡ Jerningham, p. 23.

§ Burke's 'Peerage' (1847), p. 618.

‖ Burke's 'Peerage,' p. 688.

¶ Parliamentary Return to the House of Commons, 1885.

On July 1, 1841, Hodgson and Matthew Forster, merchant, London.

On July 30, 1847, Forster and J. Campbell Renton, of Lamberton.

On July 8, 1852, Forster and John Stapleton, of London. Both were unseated on petition, and their places taken on May 14, 1853, by Dudley Coutts Marjoribanks and John Forster, of London.

On March 28, 1857, Marjoribanks and John Stapleton.

On May 2, 1859, Charles William Gordon, of Fyvie Castle, and Ralph Anstruther Earle, of Everton.

On August 20, 1859, Marjoribanks, *vice* Earle, who accepted the Chiltern Hundreds.

On June 29, 1863, William Walter Cargill, *vice* Gordon, deceased.

On July 12, 1865, Marjoribanks and Alexander Mitchell, of Stow, Midlothian.

On November 17, 1868, John Stapleton and W. Coutts Keppel, Lord Bury.

On February 6, 1874, Sir Dudley Coutts Marjoribanks, Bart., and Captain David Milne Home.

On July 19, 1880, Marjoribanks and Hon. Henry Strutt. In August, 1881, on Strutt's becoming Lord Belper through the death of his father, Colonel Milne Home succeeded; and on Sir Dudley Marjoribanks being created a peer of Great Britain, Hubert E. H. Jerningham, of Longridge Towers, took his place on Oct. 6, 1881.

This was the last election for Berwick as a separate burgh. On the passing of the last Reform Bill, its population was under the number requisite for even one member; so Berwick, which had sent members to the English Parliament for nearly 360 years, was at once stripped of its separate influence, and merged into the Berwick-upon-Tweed Division of the County of Northumberland.

Appendix XI.

THE MAYORS OF BERWICK.

S. D. Matthew de Grenelaw.*
12th Century. Radulphus de Nottingham.†
12th Century. John de Grantham.†
13th Century. Adam Flandrensis.
1238. Robert de Bernham.*
1249. Robert de Bernham.‡
1253. John Gray ††
1265. Wm. Aurifaber.¶
1292. Philip de Ridale.¶
1310. Walter de Gosweyk.¶
1324. John de London.‖
1330-1. John de London.††
1331. John de Raynton.*
1333. Wm. de Burneton.¶
1334. Wm. de Burneton.¶
1335. Walter de Gosewight.§
1336. Wm. de Burneton.¶
1338. Richard de Stanhope.¶
1341. Richard de Coventry.*
1342. Simon de Stowe.*
1344. John Getour.¶
1346. John Getour.¶
1347. Richard de Stanhope.**
1350. Richard de Stanhope.¶
1351. Richard de Thirlwall.**
1355. Richard de Thirlwall.¶
1357. Robert Clifford.*
1383. Wm. de Norham.¶
1389. John de Werk.¶
1404. John de Werk.§§
1406. John de Werk.§§
1442. John Reddall.
1449. John Burrell.*
1505. Robert Barrow.‡‡
1506. Ralph Brown.
1508. John Shotton.
1509. Thomas Brown.
1510. Ralph Brown.
1511. Ralph Brown.
1512. Ralph Brown.
1513. Ralph Brown.
1514. Ralph Brown.

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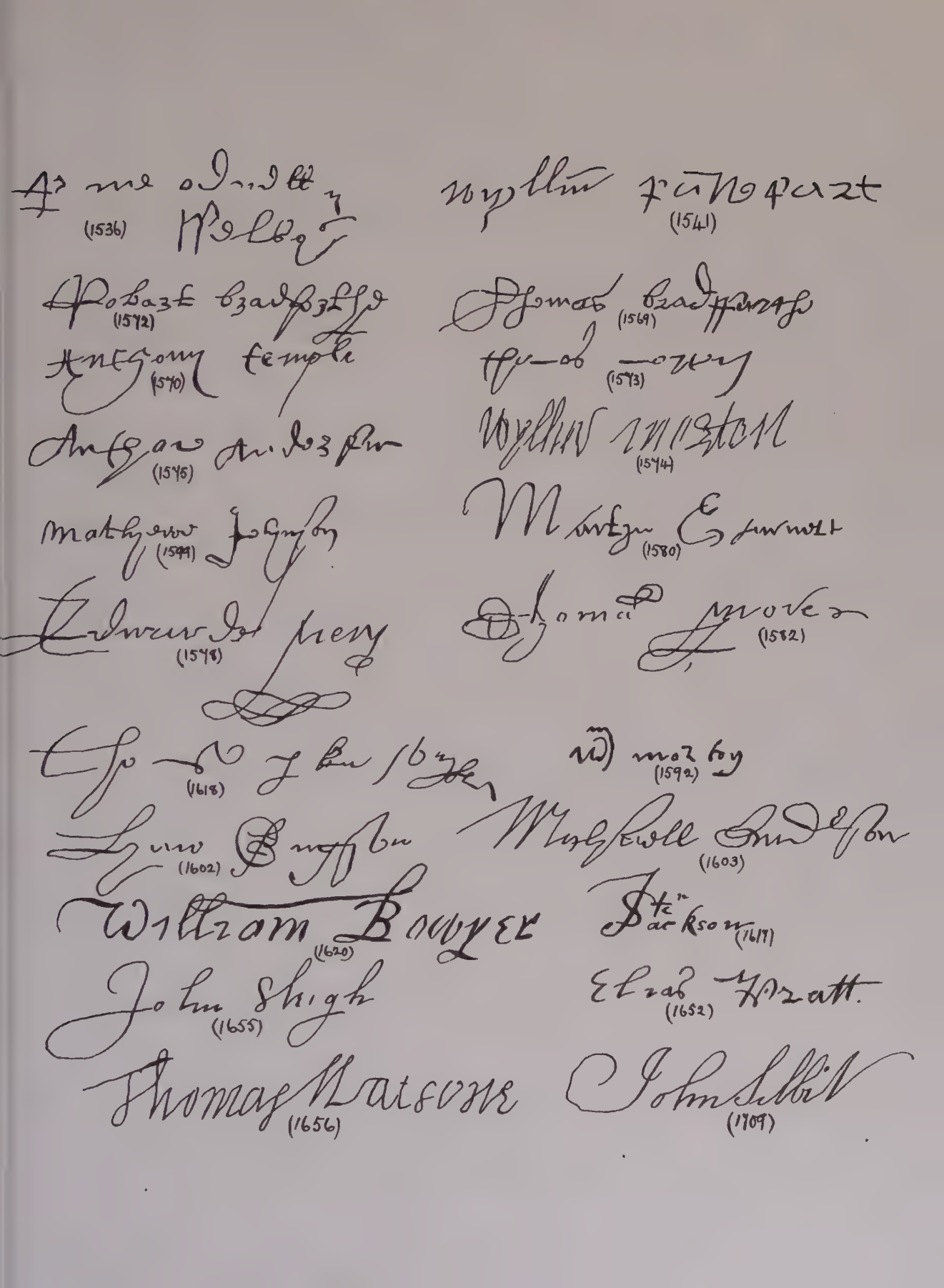
* Coldingham Chartulary.
† Newbottle Chartulary.
‡ Nicolson's 'Laws of the Marches.'
§ Rot. Pip. 8 Edward III.
‖ Cambuskenneth Chartulary.
¶ Rotuli Scotiæ.
** Patent Rolls, Edward III.
†† Treasury of Durham.
‡‡ All the names that follow are from the Guild Books.
§§ Raine's 'North Durham.'


(1536)
(1541)
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(1569)
(1570)
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(1582)
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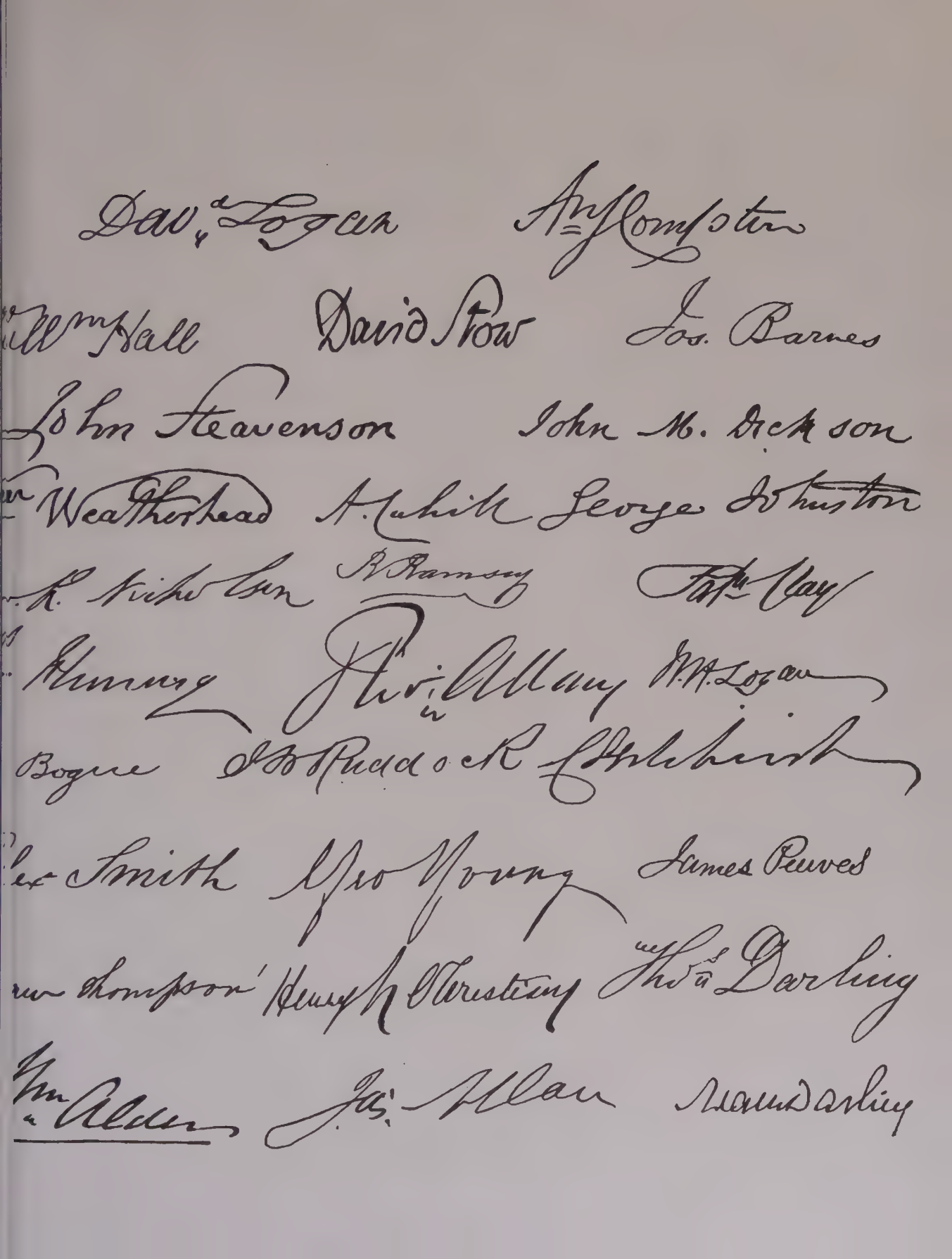
(1656)
(1709)



1515. Leonard Morton.
1516. Henry Beck.
1520. John Thompson.
1521. Henry Beck.
1525. Ralph Brown.
1533. Ralph Bradforth.
1534. John Hagerston.
1535. John Hagerston.
1536. Odnell Selby.
1537. John Hagerston.
1538. John Barowe.
1539. John Hagerston.
1540. Odnell Selby.
1541. Wm. Papert.
1542. George Martin.
1543. Nicholas Denton.
1547. George Brown.
1548. Thomas Jackson.
1549. Nicholas Denton.
1550. John Burrell.
1551. Odnell Selby.
1552. Thomas Jackson.
1553. George Brown.
1554. Robert Barrow.
1555. Thomas Morton.
1556. Robert Barrow.*
1557. Thomas Bradfurth.
1558. Thomas Morton.
1559. Thomas Bradfurth.
1560. Thomas Morton.
1561. Thomas Bradfurth.
1562. Anthony Temple.
1563. Thomas Jackson.
1564. Thomas Bradfurth.
1565. Anthony Temple.
1566. Thomas Morton.
1567. Thomas Jackson.
1568. George Morton.
1569. Thomas Bradfurth.
1570. Anthony Temple.
1571. Anthony Temple.
1572. Robert Bradfurth.
1573. Thomas Morton.
1574. Wm. Morton.
1575. Anthony Anderson.
1576. Robert Jackson.
1577. Martin Garnett.
1578. Edward Merry.
1579. Anthony Anderson.
1580. Martin Garnett.
1581. Wm. Morton.
1582. Thomas Moor.
1583. Thomas Parkinson.
1584. Thomas Parkinson.
1585. Wm. Morton.
1586. Anthony Anderson.
1587. John Denton.
1588. Wm. Morton.
1589. Thomas Parkinson.
1590. John Sleigh.
1591. George Morton.
1592. Wm. Morton.
1593. Thomas Moor.
1594. Thomas Parkinson.
1595. Thomas Parkinson.
1596. Thomas Parkinson.
1597. Thomas Parkinson.
1598. George Morton.
1599. Matthew Johnson.
1600. Thomas Parkinson.
1601. Mark Saltonstall.
1602. Hew Grigson.
1603. Michael Sanderson.
1604. Thomas Parkinson.
1605. Robert Jackson.
1606. Mark Saltonstall.
1607. Hew Grigson.
1608. Robert Jackson.
1609. James Burell.
1610. Leonard Fairley.
1611. James Burell.
1612. Michael Sanderson.
1613. John Orde.
1614. Thomas Parkinson.
1615. Mark Saltonstall.
1616. Hew Grigson.
1617. Stephen Jackson.
1618. Thomas Parkinson.
1619. Michael Sanderson.
1620. Sir Wm. Bowyer, Kt.
1621. Sir Wm. Bowyer, Kt.
1622. Sir Wm. Bowyer, Kt.
1623. Sir Wm. Bowyer, Kt.
1624. John Orde.
1625. Sir Wm. Bowyer, Kt.
1626. Sir Robert Jackson, Kt.
1627. Sir Robert Jackson, Kt.
1628. Michael Sanderson.
1629. William Ffenwick.
1630. Andrew Moor.
1631. Sir Ralph Selby, Kt.
1632. Wm. Gregson.
1633. Edward Moore.†
1633 (Dec. 20). Wm. Gregson.
1634. Wm. Orde.
1635. Wm. Ffenwick.
1636. John Sleigh.
1637. John Saltonstall.
1638. Wm. Ffenwick.
1639. Andrew Moore.
1640. Sir Robert Jackson, Kt.
1641. John Sleigh.
1642. John Sleigh.
1643. John Sleigh.
1644. John Sleigh.
1645. John Sleigh.
1646. Luke Orde.
1647. Benjamin Clerke.‡ / Andrew Crispe.
1648. Andrew Crispe.
1649. Thomas Watsone.
1650. Thomas Watsone.
1651. Thomas Watsone.
1652. Elias Pratt.
1653. Stephen Jackson.
1654. Stephen Jackson.
1655. John Sleigh.
1656. Thomas Watsone.
1657. Ralph Salkeld.
1658. Ralph Salkeld.
1659. Richard Trumble.
1660. Richard Selby.§ / Benjamin Clerke.
1661. Benjamin Clerke.
1662. Andrew Moore.
1663. Thomas Watsone.
1664. Elias Pratt.
1665. Elias Pratt.
1666. Elias Pratt.
1667. Henry Edmeston.
1668. Henry Edmeston.
1669. Henry Edmeston.
1670. Andrew Counten.
1671. Thomas Watson.
1672. Elias Pratt.
1673. James Caterall.
1674. James Caterall.
1675. Henry Edmeston.‖ / Thomas Watson.
1676. Richard Clarkson.
1677. John Luck.
1678. John Luck.
1679. John Luck.

* Killed in a skirmish at Ford while Mayor.

† Discharged by writ under Privy Seal, dated November 22, 1633.

‡ Deposed by Sir Arthur Haselrig, September 19, 1648.

§ Died during term of office, July 15, 1661.

‖ Died during term of office, February, 1676.

1680. John Luck.
1681. John Luck.
1682. John Luck.
1683. George Watson.
1684. Wm. Fenwick.*
Ferdinando Forster.
1685. Ferdinando Forster.
1686. Ferdinando Forster.†
Wm. Lawson.
1687. John Pratt.
1688. John Pratt.
1689. Ephraim Nealson.
1690. Stephen Jackson.
1691. Stephen Jackson.
1692. Edward Nealson.
1693. Edward Nealson.
1694. Edward Nealson.
1695. Edward Nealson.
1696. Edward Nealson.
1697. Thomas Grieve.
1698. Edward Nealson.
1699. Anthony Compton.
1700. Anthony Compton.
1701. David Stow.
1702. David Stow.
1703. David Stow.
1704. Edward Nealson.
1705. Edward Nealson.
1706. Anthony Compton.
1707. Thomas Watson.
1708. Thomas Watson.
1709. John Sibbit.
1710. John Sibbit.
1711. John Sibbit.
1712. Matthew Forster.
1713. John Sibbit.
1714. Matthew Forster.
1715. John Sibbit.
1716. Joseph Watson.
1717. John Sibbit.
1718. Anthony Compton.
1719. Joseph Watson.
1720. John Sibbit.
1721. George Stow.
1722. John Sibbit.
1723. Joseph Watson.
1724. John Sibbit.
1725. Joseph Watson.
1726. John Sibbit.
1727. Thomas Watson, jun.
1728. John Sibbit.
1729. Thomas Watson, jun.
1730. Roger Burnet.
1731. David Wake.
1732. Thomas Watson, jun.
1733. Thomas Watson, sen.
1734. Thomas Watson, jun.
1735. Thomas Watson, sen.
1736. Thomas Watson, jun.
1737. Roger Burnett.
1738. Thomas Watson, sen.
1739. Thomas Watson, jun.
1740. Roger Burnett.
1741. John Edmeston.
1742. Matthew Forster.
1743. Roger Burnett.
1744. Joseph Watson.
1745. Wm. Stow Lundie.
1746. Fenwick Stow.
1747. Roger Burnett.
1748. Joseph Watson.
1749. Wm. Temple.
1750. Wm. Stow Lundie.
1751. Fenwick Stow.
1752. Joseph Watson.
1753. Wm. Temple.
1754. Henry Hodgson.
1755. Thomas Balderston.
1756. Samuel Burn.
1757. Henry Hodgson.
1758. Fenwick Stow.
1759. Henry Hodgson.
1760. Wm. Hall.
1761. Henry Hodgson.
1762. Wm. Balderston.
1763. Samuel Burn.
1764. Fenwick Stow.
1765. John Burn.
1766. Henry Hodgson.
1767. Matthew Forster.
1768. Samuel Burn.
1769. John Burn.
1770. Wm. Balderston.
1771. Matthew Forster.
1772. Samuel Burn.
1773. John Burn.
1774. Matthew Forster.
1775. David Pratt.
1776. Wm. Grieve.
1777. Matthew Forster.
1778. Robert Wilkie.
1779. Robert Edmeston.
1780. Robert Wilkie.
1781. Wm. Hall.
1782. John Burn.
1783. John Clunie.
1784. David Stow.
1785. Wm. Hall.
1786. Daniel Ord.
1787. Matthew Forster.
1788. George Forster.
1789. David Stow.
1790. Wm. Hall.
1791. David Stow.
1792. George Forster.
1793. Thomas Hall.
1794. David Stow.
1795. Matthew Forster.
1796. Thomas Hall.
1797. James Bell.
1798. Samuel Burn.
1799. Thomas Hall.
1800. David Logan.
1801. James Bell.
1802. John Steavenson.‡
1803. David Logan.
1804. John Steavenson.
1805. Wm. Pattison.
1806. David Stow.
1807. John Steavenson.
1808. David Stow.
1809 John Steavenson.
1810. Samuel Burn.
1811. John Steavenson.
1812. Wm. Pattison.
1813. George Frederick Ord.
1814. John Steavenson.
1815. Rev. Joseph Barnes.
1816. Wm. Pattison.
1817. David Stow.
1818. John Hall, M.D.
1819. Thomas Jordan Steel.
1820. Anthony Compton.
1821. Thomas Jordan Steel.
1822. John Steavenson.
1823. David Logan.
1824. Thomas Jordan Steel.
1825. David Logan.
1826. Thomas Jordan Steel.
1827. Wm. Weatherhead.
1828. Wm. Dunbar How, M.D.
1829. John Wilson.
1830. John Bertram Ourde.
1831. John Langhorn.
1832. Thomas Chartres.
1833. David Logan.

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* Deposed on Revolution, March 7, 1685.

† Removed, December 12, 1686.

‡ Steavenson was elected in his absence, and it became a question whether the election was legal. He was re-elected on February 3, 1803, showing that it had been necessary to do this.

1834. John Wilson.*
1835. John Wilson.
1836. John Miller Dickson.
1837. George Johnston, M.D.
1838. Robert Marshall.
1839. George Gilchrist.
1840. George Johnston, M.D.
1841. Alexander Cahill, M.D.
1842. Joseph Hubback.
1843. Patrick Clay.
1844. George Kerr Nicholson.
1845. Thomas Hogarth.
1846. George Johnston, M.D.
1847. Wm. Smith, R.N.
1848. Henry G. C. Clarke.
1849. Wm. Smith, R.N.
1850. George K. Nicholson.
1851. Wm. Smith, R.N.
1852. Thomas Bogue.
1853. Patrick Clay.
1854. Robert Ramsay.
1855. Robert Ramsay.
1856. Joseph Fleming.
1857. Joseph Fleming.
1858. Thomas Bogue.
1859. Thomas Bogue.
1860. Wm. Hugh Logan.
1861. Thomas Allan.
1862. Wm. Hugh Logan.
1863. Andrew Thompson.
1864. Thomas Bogue.
1865. Joseph Willis Ruddock.
1866. James Purves.
1867. Andrew Thompson.
1868. George Young.
1869. Charles Lambert Gilchrist.
1870. Andrew Thompson.
1871. Alexander Smith.
1872. James Purves.
1873. George Young.
1874. James Purves.
1875. Andrew Thompson.
1876. Andrew Thompson.
1877. Thomas Darling.
1878. James Allan.
1879. Henry Lindsay Christison.
1880. Adam Darling.
1881. Adam Darling.
1882. Thomas Darling.
1883. James Allan.
1884. James Allan.
1885. Wm. Alder.
1886. James Allan.
1887. Adam Darling.

Appendix XII.

LIST OF TOWN CLERKS.

The first notice of Town Clerks in the Guild Books occurs on June 16, 1554: 'We 12 will that Lionell Thompson shall be payd off the furst money that ys dewe to the Towen £10, wheche was promysed hym for one yere byng the Town Clarke.' Lionell died in 1558. Thomas Thompson became Town Clerk after his death, but dates of appointment and demission are wanting, through the imperfect state of the books at that period.

Peter Farely, or Fairely, was appointed before 1570, and continued in office till his death in 1596. He was a notary public, a good penman, and was frequently sent to London with the member of Parliament to assist in prosecuting suits for the town.

Peter's son William succeeded to the office, and only held it for two years, when he was dismissed 'for his former abuses and his vnsuffycencye,' and in 1598

Laurence Harkor was appointed; but on April 6, 1601,

Lionell Strother obtained the place, and resigned in May 20, 1603, when†

Harkor was reappointed, and was the first Town Clerk under the present charter.

On Harkor's ceasing to act, in 1613, Strother was again appointed; and on February 29, 1616, he was asked to leave the office, and the salary of £10 was ordered from Michaelmas, 1616, to be paid to Simon Veghelman, who was appointed November 18, 1616; and on Simon 'being called to God's mercie' in February, 1618,

William Strother was elected, at a salary of £10. This was the usual salary, and the Town Clerk served the office of Jailor as well at that time. Strother resigned April 4, 1625, when

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* Continued by 5 and 6 Wm. IV. c. 76, s. 38, until after declaration of first election of Councillors on December 26, 1835.

† Because Strother's resignation 'will in many waies be beneficial to the good and ease of this town, it is determined to give him an annuity of £10 for 8 years.' Harkor had in 1601 been forced to resign, and he had been suing them for damages in the Court, and Strother's resignation put an end to the difficulty.

Charles Hutton was appointed, on recommendation of the Recorder, to be Town Clerk and Jailor at £10 per annum.

Robert Reed succeeded Hutton on September 7, 1638, and died 1643, when his wife kept the office for more than a twelvemonth. She is entered on the Guild Roll of 1643 as Town Clerk. From April 28, 1643, till October 4, 1644, her servant, Robert Scott, performed all the duties, and was himself appointed to the office at the latter date.

Marke Scott, son of Robert, succeeded in 1655. Thirty years after, at the revolution under James II., he was displaced by

Chas. Jackson on March 16, 1685; and on October 22, 1688,

Marke was again restored to office. He died in 1691, when

Joseph Dickenson succeeded; and on November 26, 1697,

Ephraim Nealson was chosen to the office; and on December 14, 1698,

John Sibbit followed Nealson. Sibbit held office for thirty-six years, eleven of which he was Mayor as well as Town Clerk. On July 19, 1734,

Wm. Shell took the place of Sibbit, deceased; and August 11, 1736,

Robert Richardson followed; and on August 31, 1744,

James Todd was chosen to the office, who on May 31, 1765, was followed by

Edward Willoby, who had been treasurer for two years before.

William, Edward's son, succeeded on March 24, 1800, and was again succeeded on January 11, 1810, by

Mark Jamieson, who held the office till his dismissal on March 3, 1840; when

Thos. Gilchrist was elected, and continued till his death; when

Robert Home succeeded on June 25, 1849. On Home's death,

Robert Douglas, the present Town Clerk, was chosen, on October 1, 1867.

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